



California Regional Water Quality Control Board

Santa Ana Region



Terry Tamminen
*Secretary for
Environmental
Protection*

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Arnold Schwarzenegger
Governor

April 22, 2004

Peter A. Nyquist
Weston Benshoof Rochefort Rubalcava MacCuish LLP
333 South Hope Street, Sixteenth Floor
Los Angeles, CA 90071

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Richard A. Dongell
Dongell Lawrence Finney LLP
707 Wilshire Blvd., Twenty-Seventh Floor
Los Angeles, CA 90017

TRANSMITTAL OF REVISED DRAFT CLEANUP AND ABATEMENT ORDER NO. R8-2004-0042 AND STAFF REPORT FOR PYRO SPECTACULARS, INC., THOMAS O. PETERS REVOCABLE TRUST AND WHITTAKER CORPORATION

Dear Messrs. Nyquist, Salvin and Dongell:

Enclosed are the Staff Report and revised draft Cleanup and Abatement Order No. R8-2004-0042 for the investigation and cleanup of perchlorate at the five-acre parcel located at 2298 West Stonehurst Drive, Rialto, California. For your convenience, the revisions to the draft Order are shown in strikeout/underline format.

A hearing is scheduled in this matter before the Regional Board on Friday, April 30, 2004. The hearing will be conducted during the Board's regular meeting, which will commence at 9:00 A.M. at the Cucamonga Valley Water District, 10440 Ashford Street, Rancho Cucamonga. The Board will consider whether to adopt, modify or reject the proposed Cleanup and Abatement Order. You will have the opportunity to make a presentation before the Board, in accordance with the protocols defined in the Hearing Notice of April 16, 2004.

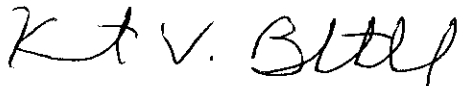
By copy of this letter, Interested Parties are advised that the draft Cleanup and Abatement Order, Staff Report and exhibits will be available on the Regional Board's website: <http://www.swrcb.ca.gov/rwqcb8>.

California Environmental Protection Agency

April 22, 2004

If you have any questions, please contact me at (909) 782-3286 or Ann Sturdivant at (909) 782-4904, or you may call Catherine Ehrenfeld, Staff Services Analyst, at (909) 782-3285.

Sincerely,



Kurt V. Berchtold
Assistant Executive Officer

Enclosures:

1. Revised Draft Cleanup and Abatement Order No. R8-2004-0042
2. Staff Report and exhibits
3. Interested Parties Mailing List

cc w/enclosures:

Regional Board
Jorge Leon, OCC – SWRCB

cc w/out enclosures:

Interested Parties (see mailing list)

California Regional Water Quality Control Board
Santa Ana Region

Cleanup and Abatement Order No. R8-2004-0042

For
Pyro Spectaculars, Inc.,
~~Mr. Thomas O. Peters Revocable Trust~~
And
Whittaker Corporation

Five-acre parcel located at 2298 West Stonehurst Drive,
City of Rialto, San Bernardino County

The California Regional Water Quality Control Board, Santa Ana Region
(hereinafter Regional Board), finds that:

1. ~~The~~ Mr. Thomas O. Peters Revocable Trust currently owns property in Section 28, Township 1 North, Range 5 West, San Bernardino Base and Meridian, in the County of San Bernardino, State of California. ~~Mr. The Thomas O. Peters Revocable Trust~~ property consists of approximately five acres ("the site property"), on which about 25 buildings and storage units are situated.
2. Starting in ~~1969~~ 1955, Whittaker Corporation, the former Trojan Fireworks Company, and ~~Astro Pyrotechnics (owned and operated by a division of~~ Pyro Spectaculars, Inc.) or their legal predecessors have conducted manufacturing operations on portions of the site property. The manufacturing activities have been associated with onsite waste disposal practices. The site property overlies the Rialto Groundwater Subbasin.
3. Aerial photographs indicate that ~~the three parcels making up the 5-acre site property were~~ was developed in several phases, beginning as early as 196955. Evidence indicates that the AMEX Products Division of Tasker Industries (AMEX Products) owned approximately 1.22-5 acres of the site property in 196955. The AMEX Products facility address was 2298 West Stonehurst Drive, and included a general office, and 10 additional buildings. AMEX also operated a test range on 15 acres, adjacent to the AMEX property 2-5 acres, at Alder Avenue. AMEX Products designed, tested and fabricated military and commercial pyrotechnic and explosive devices ~~on this portion of the property at 2298 West Stonehurst Drive~~. Perchlorate is known to have been a component of AMEX's products. In or about 1972, Tasker Industries merged into Whittaker Corporation. Because this transaction was a corporate merger, Whittaker Corporation assumed the liabilities of Tasker Industries. Records indicate that

Whittaker Corporation thereafter became the owner of the ~~2.5~~1.2 acres at 2298 West Stonehurst Drive until it sold the property to Mr. ~~Peters~~Robert J. Kennard, who was associated with the Trojan Fireworks Company, in or about 1974. Mr. Thomas O. Peters then purchased the 1.2 acres and additional 2.5 acres of adjoining property, creating the approximately 5-acre site property. The 5-acre site is currently owned by the Thomas O. Peters Revocable Trust.

4. Trojan Fireworks Company, ~~a wholly owned subsidiary of Astro Pyrotechnics,~~ began operating at the 5-acre site in or about 1973. Trojan Fireworks Company manufactured commercial fireworks through 1988 at this location. Perchlorate salts are known ingredients of common fireworks. ~~Astro Pyrotechnics then purchased the assets of Trojan Fireworks Company, and Trojan Fireworks Company was dissolved.~~
5. ~~On or about March 24, 1988, Pyro Spectaculars, Inc. purchased the manufacturing and display divisions of Trojan Fireworks Company, commonly known as Astro Pyrotechnics. assets of Astro Pyrotechnics.~~ Astro Pyrotechnics has operated as a division of Pyro Spectaculars, Inc. since that time. Astro Pyrotechnics manufactures theatrical (1.4G) fireworks and pyrotechnic articles at the site property. The fireworks are shipped to off-site, licensed professional customers. The Astro Pyrotechnics facility receives raw materials (including chemicals and paper goods), and assembles various types of fireworks inside small work buildings.
6. At the current-day Astro Pyrotechnics facility, raw and laboratory grade chemicals are stored in bulk in eight of the on-site buildings. Various other buildings are used for the manufacture and storage of fireworks products. Four of the work buildings had adjacent concrete pads that were installed in or about January 2003~~2~~ and were used until mid-2003 for collecting wastewater that was generated during the fireworks manufacturing process. This practice was discontinued at the direction of Regional Board staff. Prior to installation of the concrete pads, the wastes were discharged to small earthen containment basins that were lined with plastic.
7. The wastewater generated during the fireworks manufacturing process at Astro Pyrotechnics is a highly saline waste containing potassium nitrate, potassium perchlorate, and other perchlorate salts. Perchlorate salts are highly soluble and dissociate in water to form perchlorate ions. There are currently no state or federal drinking water standards for perchlorate. However, on March 11, 2004, the California Department of Health Services (DHS) established a revised drinking water Action Level (AL) for perchlorate of 6 parts per billion (ppb). An AL is a temporary safe drinking water level that is based on available studies that have been performed.

8. Perchlorate is currently present in the Rialto, ~~Colton~~, Chino I and Chino II Groundwater Subbasins. The West Valley Water District, the Fontana Water Company, and the Cities of Rialto and Colton had limited or ceased the use of 20 municipal water supply wells that contained perchlorate. Wellhead treatment systems have been installed on eight of these wells, and these eight wells have been returned to service. However, the remaining 12 wells continue to be unused or are used on a limited basis.
9. Municipal water supply wells in the Rialto, ~~Colton~~, Chino I and Chino II Groundwater Subbasins have been, or are likely to be, affected by the perchlorate pollution in these basins. Regional Board staff has identified numerous parties, and continues in its efforts to identify all parties that may have discharged perchlorate in these basins.
10. Perchlorate contamination was first detected in groundwater in the Rialto and Chino Groundwater Subbasins in 1997. At that time, the DHS AL for perchlorate in drinking water was 18 ~~parts per billion (ppb)~~. Two wells contained perchlorate exceeding 18 ppb and were shut down. In January 2002, the DHS lowered the AL to 4 ppb. In response to the reduced AL for perchlorate, the local water purveyors in the Rialto and Chino Groundwater Subbasins restricted or eliminated the use of additional production wells with perchlorate concentrations that exceeded 4 ppb. Between 1997 and the present, various perchlorate dischargers, ~~including Astro Pyrotechnics~~, have been identified.
11. On November 6, 2002, pursuant to California Water Code (CWC) Section 13267, the Executive Officer directed Pyro Spectaculars, Inc. to investigate the 5-acre Astro Pyrotechnics facility.
12. On December 9, 2002, Pyro Spectaculars, Inc. submitted a work plan ~~was submitted~~ for investigation of soil adjacent to the concrete pads) that were used for collection of liquid waste at Astro Pyrotechnics. The proposed fieldwork consisted of five exploratory trench excavations to collect soil samples for analysis of perchlorate. On February 6, 2003, Regional Board staff visited the Astro Pyrotechnics facility and inspected the work buildings, including those used for the manufacture of fireworks. Regional Board staff observed that several of the concrete pads contained wastewater and sludge. Concrete is not an effective, permanent barrier to infiltration of liquid, and is therefore not an acceptable waste containment liner. In addition, the pads lacked splash walls, and did not have the capacity necessary to prevent overflow and runoff of waste from a significant storm event.

13. On March 3, 2003, the Executive Officer conditionally approved the work plan for the investigation of the Astro Pyrotechnics facility. The Executive Officer's approval letter required that the work plan be revised to include the collection of soil samples from the areas immediately beneath the existing concrete pads, instead of from areas adjacent to the pads as proposed in the work plan. In addition, Pyro Spectaculars, Inc. was advised that the concrete pads were not acceptable storage facilities for waste and wastewater at the Astro Pyrotechnics facility and that it must cease the practice. The Executive Officer required the installation of permanent containment facilities, such as appropriately lined storage sumps or ponds, with adequate capacity, as well as secondary containment for the drums of chemical waste that were stored on-site.
14. In accordance with the investigation work plan approved by the Executive Officer, Pyro Spectaculars, Inc. was required to commence its field activities on July 21, 2003. Pyro Spectaculars, Inc. failed to commence the investigation by the specified date; therefore, the Executive Officer issued an administrative civil liability (ACL) complaint against Pyro Spectaculars, Inc., which has been resolved.
15. On November 6, 2003, Kleinfelder (the environmental consultant for Pyro Spectaculars, Inc.) excavated five exploratory trenches in the areas of investigation approved by the Executive Officer. The soil samples were analyzed for volatile organic compounds (VOCs), perchlorate, and electrical conductivity.
16. On December 15, 2003, Pyro Spectaculars, Inc. submitted a "Perchlorate Investigation Report" which summarized the results of Kleinfelder's soil investigations at the site. Perchlorate was found in 12 samples at the site. Samples collected at 1, 5, and 10-foot depths in four of the trenches contained perchlorate. Perchlorate concentrations ranged from 1.2 milligrams per kilogram (mg/kg) to 32 mg/kg. The highest perchlorate concentration of 32 mg/kg was detected at the 10-foot depth adjacent to the former location of one of the concrete waste disposal pads.
17. Based on the results of the soil investigations conducted by Pyro Spectaculars, Inc. at the site its Astro Pyrotechnics facility, it is evident that perchlorate has been discharged to soil and likely to the underlying groundwater.
18. Based on the historical evidence of suspected perchlorate discharges at the site property, and prior to Astro Pyrotechnics collecting soil samples at the property, the Executive Officer issued an Investigation Order to Mr. Thomas O. Peters, on the basis of available records of his ownership of the property, on July 18, 2003. Mr. Peters was ordered to submit a work plan by August 29, 2003 for conducting an investigation to define the

lateral and vertical extent of perchlorate in soil and groundwater at the siteproperty.

19. On December 18, 2003, an environmental consultant for Mr. Peters submitted a work plan for a limited perchlorate investigation at the siteproperty. The proposed fieldwork for the site consisted of 11 exploratory trench excavations to collect soil samples for analysis of perchlorate. This work plan has not been approved by Board staff, and None of the proposed work has been conducted by Mr. Peters.
20. Whittaker Corporation is the corporate successor of AMEX Products and Tasker Industries by merger. Based on the use, storage, and disposal of explosives and their components by AMEX Products, Tasker Industries and Whittaker Corporation, the Executive Officer issued an Investigation Order to Whittaker Corporation on June 26, 2003. Whittaker Corporation was ordered to conduct a records investigation and submit a report by July 31, 2003 concerning suspected perchlorate discharges at its former Rialto facility.
21. On July 28, 2003, Whittaker Corporation submitted limited information pertaining to AMEX Products and its production activities at the siteproperty between 1969 and 1971.
22. Based on the information submitted on July 28, 2003, the Executive Officer issued a further Investigation Order to Whittaker Corporation on October 21, 2003. Whittaker Corporation was ordered to submit a work plan by December 16, 2003 for conducting an investigation to define the lateral and vertical extent of perchlorate in soil and groundwater in the vicinity of the siteproperty.
23. On January 13, 2004, Whittaker Corporation submitted a work plan for conducting further investigation activities to assess perchlorate at and in the vicinity of the siteproperty. This work plan has not been approved by Board staff, and none of the proposed work has been conducted by Whittaker Corporation~~None of the proposed work has been conducted by Whittaker Corporation.~~
24. Based on the facts presented herein, the evidence referred to in the Staff Report and the Exhibits attached thereto, and the testimony presented at the hearing, the Board finds that Pyro Spectaculars, Inc., Mr. Thomas O. Peters and/or Thomas O. Peters Revocable Trust, and Whittaker Corporation have caused or permitted, or are causing or permitting, waste, i.e., perchlorate, to be discharged or deposited where it is, or probably will be, discharged into the waters of the state, specifically the Rialto Groundwater Subbasin, and have created, or threaten to create, a

condition of pollution or nuisance as defined in Water Code Section 13304.

25. The beneficial uses of the Rialto Groundwater Subbasin include:
 - a. Municipal and domestic supply,
 - b. Agricultural supply,
 - c. Industrial service supply, and
 - d. Industrial process supply.
26. CWC Section 13304 allows the Regional Board to recover reasonable expenses from responsible parties for overseeing cleanup and abatement activities. It is the Regional Board's intent to recover such costs for regulatory oversight work conducted in accordance with this order. Mr. Peters and Whittaker Corporation have already entered into cost recovery agreements with Regional Board staff. Pyro Spectaculars, Inc., has not entered into a cost recovery agreement with Regional Board staff, but a portion of staff's past costs has been recovered from Pyro Spectaculars, Inc. pursuant to resolution of the ACL complaint. ~~failed to respond to two requests from Regional Board staff for reimbursement of the Regional Board's costs.~~
27. This enforcement action is being taken by a regulatory agency to enforce a water quality law. Such action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15321, Article 19, Division 3, Title 14, California Code of Regulations.
28. Additional investigation is necessary to define the vertical and lateral extent of the perchlorate that is discharging, has been discharged, or threatens to be discharged from the site property located at 2298 West Stonehurst Drive, Rialto.
29. It is appropriate to order Pyro Spectaculars, Inc., ~~Mr. Thomas O. Peters Revocable Trust~~, and Whittaker Corporation jointly and severally to clean up and abate the effects of the discharge of perchlorate at the site property.
30. A similar order may be issued at a later date to former tenants or former owners of other associated or adjacent properties, if Regional Board staff obtains additional information indicating that other specific tenants or owners have also discharged perchlorate that is present in the soil or groundwater.
31. Pyro Spectaculars, Inc. has proposed to form the Rialto Environmental Assessment Partnership (REAP), in lieu of conducting the investigation

and cleanup activities that would be required at the site by this Order. The proposed partnership would sponsor a demonstration project for removal of perchlorate from the soil and groundwater in the vicinity of the site. If the REAP proposal obtains successful sponsorship from the local water purveyors, agencies and municipalities, and is determined by the Executive Officer to be technically feasible, the Board will consider revising or amending the Order as necessary to allow future implementation of the REAP.

IT IS HEREBY ORDERED THAT, pursuant to Section 13304, Article 1, Chapter 5, Division 7, of the California Water Code, Pyro Spectaculars, Inc., Whittaker Corporation, and ~~Mr. the~~ Thomas O. Peters Revocable Trust jointly and severally shall cleanup and abate the effects of the discharge of waste at the property located at 2298 West Stonehurst Drive, Rialto, as follows:

1. Upon approval by the Executive Officer, implement the work plans submitted in response to the Executive Officer's Investigation Orders, or submit an alternate work plan if requested to do so by the Executive Officer. The work plans shall be implemented in accordance with time schedules approved by the Executive Officer.
2. Prepare and implement additional work plans that the Executive Officer deems necessary to sufficiently characterize the lateral and vertical extent of perchlorate that is discharging, has been discharged, or threatens to be discharged to the soil and groundwater from the ~~site~~property. The work plans shall be implemented in accordance with time schedules approved by the Executive Officer.
3. After the Executive Officer determines that the lateral and vertical extent of perchlorate that is discharging, has been discharged, or threatens to be discharged from the ~~site~~property to the soil and groundwater has been sufficiently defined, submit a detailed remedial action plan, including an implementation schedule, to cleanup or abate the effects of the perchlorate that is discharging, has been discharged, or threatens to be discharged, from the ~~site~~property. The remedial action plan shall provide for replacement water service, which may include wellhead treatment, for any water supply wells determined by the Executive Officer, based on investigations conducted pursuant to Items 1 and 2, above, to be affected by discharges from the site. The remedial action plan and implementation schedule shall be submitted within 60 days of the Executive Officer's notification to Pyro Spectaculars, Inc., ~~Mr. the~~ Thomas O. Peters Revocable Trust, and Whittaker Corporation that the definition of the extent of perchlorate is sufficiently complete. The remedial action plan and schedule shall be subject to approval by the Executive Officer.

4. Implement the remedial action plan in 3., above, as approved by the Executive Officer.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on April 30, 2004.

Gerard J. Thibeault
Executive Officer

California Regional Water Quality Control Board
Santa Ana Region

April 30, 2004

ITEM: 19

SUBJECT: Cleanup and Abatement Order No. R8-2004-0042 for Pyro Spectaculars, Inc., Thomas O. Peters Revocable Trust and Whittaker Corporation

DISCUSSION:

Introduction

The matter before the Board is whether to adopt, modify or reject Cleanup and Abatement Order No. R8-2004-0042. The Order would require Pyro Spectaculars, Inc., the Thomas O. Peters Revocable Trust and Whittaker Corporation to investigate, clean up and abate the effects of perchlorate discharges at an approximately five acre property in Rialto ("the site"), on which about 25 buildings and storage units are situated (Exhibit 1). The site is located at 2298 West Stonehurst Drive on the northeast corner of Stonehurst Drive and the Extension of Alder Avenue and overlies the Rialto Groundwater Subbasin. Beginning in 1969, Whittaker Corporation, the former Trojan Fireworks Company, and Astro Pyrotechnics (currently owned and operated by Pyro Spectaculars, Inc.) and/or their legal predecessors have conducted manufacturing operations on portions of the site. These operations have included perchlorate as a component of the products that were manufactured (Exhibit 2).

Perchlorate in Groundwater in the Rialto Area

Perchlorate contamination was first detected in groundwater in the Rialto and Chino Groundwater Subbasins in 1997. At that time, the California Department of Health Services (DHS) drinking water Action Level (AL) for perchlorate in drinking water was 18 parts per billion (ppb). Two wells contained perchlorate exceeding 18 ppb and were shut down. In January 2002, the DHS lowered the AL to 4 ppb. In response to the reduced AL for perchlorate, the local water purveyors in the Rialto and Chino Groundwater Subbasins restricted or eliminated the use of additional production wells with perchlorate concentrations that exceeded 4 ppb. Between 1997 and the present, various perchlorate dischargers have been identified.

Perchlorate is currently present in the Rialto, Chino I and Chino II Groundwater Subbasins (Exhibit 3). The West Valley Water District, the Fontana Water Company, and the Cities of Rialto and Colton had limited or ceased the use of 20 municipal water supply wells that contained perchlorate. Wellhead treatment systems have been installed on eight of these wells, and these eight wells have been returned to service. However, the remaining 12 wells continue to be unused or are used on a limited basis. There are currently no state or federal drinking water standards for perchlorate. However, on March 11, 2004, the DHS established a revised AL for perchlorate of 6 ppb. The revised AL was based on the new Public Health Goal established by the Office of Environmental Health Hazard Assessment.

Municipal water supply wells in the Rialto, Chino I and Chino II Groundwater Subbasins have been, or are likely to be, affected by the perchlorate pollution in these basins. Regional Board staff has identified numerous parties, and continues in its efforts to identify all parties, that may have discharged perchlorate in these basins.

History of the Site

The site was developed in several phases, beginning as early as 1969. Evidence indicates that the AMEX Products Division of Tasker Industries (AMEX Products) owned at least 1.2 acres of the site in 1969 (Exhibit 4). The AMEX Products facility address was 2298 West Stonehurst Drive, and included a general office and 10 additional buildings. AMEX also operated a test range on 15 acres, adjacent to the AMEX property, at Alder Avenue. AMEX Products designed, tested and fabricated military and commercial pyrotechnic and explosive devices at 2298 West Stonehurst Drive. Perchlorate is known to have been a component of AMEX's products (Exhibit 5). In or about 1972, Tasker Industries merged into Whittaker Corporation (Exhibit 6). Because this transaction was a corporate merger, Whittaker Corporation assumed the liabilities of Tasker Industries. Records indicate that Whittaker Corporation thereafter became the owner of the 1.2 acres at 2298 West Stonehurst Drive until it sold the property to Mr. Robert J. Kennard, who was associated with Trojan Fireworks Company, in 1974 (Exhibit 7). Mr. Thomas O. Peters then purchased the 1.2 acres and additional adjoining property in 1974 (Exhibit 8), creating the approximately 5-acre site. The property is currently owned by the Thomas O. Peters Revocable Trust (Exhibit 9).

Trojan Fireworks Company began operating at the 5-acre site in or about 1973 (Exhibit 10). Trojan Fireworks Company manufactured commercial fireworks through 1988 at this location (Exhibit 11). Perchlorate salts are known ingredients of common fireworks. On or about March 24, 1988, Pyro Spectaculars, Inc. purchased the manufacturing and display divisions of Trojan Fireworks Company, commonly known as Astro Pyrotechnics (Exhibit 11). Astro

Pyrotechnics has operated as a division of Pyro Spectaculars, Inc. since that time.

Pyro Spectaculars, Inc.

As noted above, Pyro Spectaculars, Inc. has owned and operated Astro Pyrotechnics since about 1988. Astro Pyrotechnics manufactures theatrical (1.4G) fireworks and pyrotechnic articles at the site. The fireworks are shipped to off-site, licensed professional customers. The Astro Pyrotechnics facility receives raw materials (including chemicals and paper goods), and assembles various types of fireworks inside small work buildings. At the current-day Astro Pyrotechnics facility, raw and laboratory grade chemicals are stored in bulk in eight of the on-site buildings. Various other buildings are used for the manufacture and storage of fireworks products (Exhibit 12). Four of the work buildings had adjacent concrete pads that were installed in or about January 2003 and were used until mid-2003 for collecting wastewater that was generated during the fireworks manufacturing process. This practice was discontinued at the direction of Regional Board staff (Exhibit 13). Prior to installation of the concrete pads, the wastes were discharged to small earthen containment basins that were lined with plastic (Exhibit 14).

The wastewater generated during the fireworks manufacturing process at Astro Pyrotechnics is a highly saline waste containing potassium nitrate, potassium perchlorate, and other perchlorate salts. Perchlorate salts are highly soluble and dissociate in water to form perchlorate ions.

The Executive Officer issued an Investigation Order to Pyro Spectaculars, Inc. on November 6, 2002 (Exhibit 15). This Order directed Pyro Spectaculars, Inc. to investigate the 5-acre Astro Pyrotechnics facility.

On December 9, 2002, Pyro Spectaculars, Inc. submitted a work plan for investigation of soil adjacent to the concrete pads that were used for collection of liquid waste at Astro Pyrotechnics (Exhibit 16). The proposed fieldwork consisted of five exploratory trench excavations to collect soil samples for analysis of perchlorate. On February 6, 2003, Regional Board staff visited the Astro Pyrotechnics facility and inspected the work buildings, including those used for the manufacture of fireworks. Regional Board staff observed that several of the concrete pads contained wastewater and sludge (Exhibit 17). Concrete is not an effective, permanent barrier to infiltration of liquid, and is therefore not an acceptable waste containment liner. In addition, the pads lacked splash walls, and did not have the capacity necessary to prevent overflow and runoff of waste from a significant storm event.

The Executive Officer conditionally approved the work plan on March 3, 2003 for the investigation of the Astro Pyrotechnics facility (Exhibit 13). The Executive Officer's approval letter required that the work plan be revised to include the

collection of soil samples from the areas immediately beneath the existing concrete pads, instead of from areas adjacent to the pads as proposed in the work plan. In addition, Pyro Spectaculars, Inc. was advised that the concrete pads were not acceptable storage facilities for waste and wastewater at the Astro Pyrotechnics facility and that it must cease the practice. The Executive Officer required the installation of permanent containment facilities, such as appropriately lined storage sumps or ponds, with adequate capacity, as well as secondary containment for the drums of chemical waste that were stored on-site.

In accordance with the investigation work plan approved by the Executive Officer, Pyro Spectaculars, Inc. was required to commence its field activities on July 21, 2003. Pyro Spectaculars, Inc. failed to commence the investigation by the specified date; therefore, the Executive Officer issued an administrative civil liability (ACL) complaint against Pyro Spectaculars, Inc., which has been resolved.

On November 6, 2003, Kleinfelder (the environmental consultant for Pyro Spectaculars, Inc.) excavated five exploratory trenches in the areas of investigation approved by the Executive Officer. Soil samples were collected and analyzed for volatile organic compounds (VOCs), perchlorate, and electrical conductivity.

On December 15, 2003, Pyro Spectaculars, Inc. submitted a "Perchlorate Investigation Report" which summarized the results of Kleinfelder's soil investigations at the site. Perchlorate was found in 12 samples at the site (Exhibit 18). Samples collected at 1, 5, and 10-foot depths in four of the trenches contained perchlorate. Perchlorate concentrations ranged from 1.2 milligrams per kilogram (mg/kg) to 32 mg/kg. The highest perchlorate concentration of 32 mg/kg was detected at the 10-foot depth adjacent to the former location of one of the concrete waste disposal pads. The depth of the trench excavations was 10 feet, so no samples were collected below this depth.

Based on the results of the soil investigations conducted by Pyro Spectaculars, Inc. the site, it is evident that perchlorate has been discharged to soil and likely to the underlying groundwater.

Thomas O. Peters Revocable Trust

The Thomas O. Peters Revocable Trust is the current owner of the 5-acre property at 2298 Stonehurst. Mr. Thomas O. Peters and/or Thomas O. Peters Revocable Trust, has owned the property since 1974 (Exhibit 9). Based on the historical evidence of suspected perchlorate discharges at the property, and prior to Astro Pyrotechnics collecting soil samples at the site, the Executive Officer issued an Investigation Order to Mr. Peters (Exhibit 19), on the basis of available records of his ownership of the property, on July 18, 2003. Mr. Peters was ordered to submit a work plan by August 29, 2003 for conducting an investigation

to define the lateral and vertical extent of perchlorate in soil and groundwater at the site.

On December 18, 2003, an environmental consultant for Mr. Peters submitted a work plan for a limited perchlorate investigation at the site. The proposed fieldwork for the site consisted of 11 exploratory trench excavations to collect soil samples for analysis of perchlorate. This work plan has not been approved by Board staff, and none of the proposed work has been conducted by Mr. Peters.

Whittaker Corporation

Whittaker Corporation is the corporate successor of AMEX Products and Tasker Industries by merger (Exhibit 6). Based on the use, storage, and disposal of explosives and their components by AMEX Products, Tasker Industries and Whittaker Corporation, the Executive Officer issued an Investigation Order to Whittaker Corporation on June 26, 2003 (Exhibit 20). Whittaker Corporation was ordered to conduct a records investigation and submit a report by July 31, 2003 concerning suspected perchlorate discharges at its former Rialto facility.

On July 28, 2003, Whittaker Corporation submitted limited information pertaining to AMEX Products and its production activities at the site between 1969 and 1971 (Exhibit 2).

Based on the information submitted on July 28, 2003, the Executive Officer issued a further Investigation Order to Whittaker Corporation on October 21, 2003 (Exhibit 21). Whittaker Corporation was ordered to submit a work plan by December 16, 2003 for conducting an investigation to define the lateral and vertical extent of perchlorate in soil and groundwater in the vicinity of the site.

On January 13, 2004, Whittaker Corporation submitted a work plan for conducting further investigation activities to assess perchlorate at the site. This work plan has not been approved by Board staff, and none of the proposed work has been conducted by Whittaker Corporation.

Basis for the Cleanup and Abatement Order

- Water Code Section 13304 specifies that "Any person ... who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board, clean up the waste or abate the effects of the waste ..." Cleanup and Abatement Order No. R8-2004-0042 would include findings that demonstrate that Pyro Spectaculars, Inc., Mr. Thomas O. Peters and/or Thomas O. Peters Revocable Trust, and Whittaker Corporation have caused or permitted, or are causing or permitting, waste, i.e., perchlorate, to be discharged. In

summary, the basis for these findings is as follows: Pyro Spectaculars, Inc. has discharged waste containing perchlorate to inadequately lined earthen basins and concrete pads, and soil sampling and analysis have confirmed that perchlorate has been released to the underlying soil.

- Mr. Peters and/or Thomas O. Peters Revocable Trust has owned the 5-acre property that is the subject of this order since about 1974, throughout the period of time it has been used for the manufacturing of fireworks, and has responsibility for and control of the activities on the site.
- Whittaker Corporation and its predecessors designed, tested and fabricated pyrotechnic and explosive devices containing perchlorate at the site.

Wastes discharged by Pyro Spectaculars, Inc., Mr. Thomas O. Peters and/or Thomas O. Peters Revocable Trust, and Whittaker Corporation have created or threaten to create a condition of pollution (i.e., an unreasonable effect on beneficial uses). Perchlorate is very mobile in soils, and perchlorate detected in soil at the site threatens to migrate to groundwater. The County of San Bernardino has conducted several phases of soil and groundwater investigation to characterize the perchlorate contamination in the vicinity of the County's Mid-Valley Sanitary Landfill and its adjacent property, the landfill's future Unit 5 expansion area. As part of this investigation, the County installed a network of groundwater monitoring wells. Some of the County's wells are located downgradient of the 5-acre Stonehurst property. Based on the data obtained from the County's wells, perchlorate has been detected in the groundwater downgradient of the site, at concentrations up to 1,000 parts per billion. The site overlies the Rialto Groundwater Subbasin, which has a designated beneficial use of municipal and domestic supply. That beneficial use has been unreasonably affected by perchlorate in the vicinity of the site.

It is appropriate to order Pyro Spectaculars, Inc., the Thomas O. Peters Revocable Trust, and Whittaker Corporation jointly and severally to clean up and abate the effects of the discharge of perchlorate at the site. The proposed order requires Pyro Spectaculars, Inc., Thomas O. Peters Revocable Trust, and Whittaker Corporation to define the lateral and vertical extent of the perchlorate that is discharging, has been discharged, or threatens to be discharged, from the 5-acre property. The proposed order also requires Pyro Spectaculars, Inc., the Thomas O. Peters Revocable Trust, and Whittaker Corporation jointly to submit a detailed remedial action plan to clean up or abate the effects of the perchlorate, after the Executive Officer determines that the lateral and vertical extent of perchlorate that is discharging, has been discharged, or threatens to be discharged from the site has been sufficiently defined.

Rialto Environmental Assessment Partnership (REAP) Proposal

On March 16 and April 14, 2004, Board staff met with representatives for Pyro Spectaculars, Inc., The Thomas O. Peters Revocable Trust, and Whittaker

Corporation, as well as each party's attorneys and environmental consultants, to discuss a cooperative approach to the implementation of investigation plans at the site. Pyro Spectaculars, Inc. has proposed to form the Rialto Environmental Assessment Partnership (REAP), in lieu of conducting the investigation and cleanup activities that would be required at the site by Cleanup and Abatement Order No. R8-2004-0042. The proposed partnership would sponsor a demonstration project for removal of perchlorate from the soil and groundwater in the vicinity of the site. (Pyro Spectaculars, Inc. will present additional information about REAP to the Board as part of Item 18 on the agenda for the April 30 meeting.) Board staff do not consider the REAP proposal and the Order to be mutually exclusive; in fact, the proposed demonstration project appears to be an innovative and potentially feasible remediation technology for this locality, and it could be implemented in accordance with the Order. Therefore, the proposed Order contains a finding recognizing the REAP proposal and stating the Board's intent to revise the Order if necessary to allow future implementation of REAP.

RECOMMENDATION:

Adopt Cleanup and Abatement Order No. R8-2004-0042 as presented.

Robert Thompson
The Honorable Senator Nell Soto
822 N. Euclid Ave., Suite A
Ontario, CA 91762

The Honorable Senator Nell Soto
State Capital, Room 4078 P.O. Box 942848
Sacramento, CA 94248-0001

Anthony Araiza , Jerry Eagans & León Long
West Valley Water District
P.O. Box 920
Rialto, CA 92377-0920

Barry Groveman & Steve Ellie
Musick, Peeler & Garrett
624 S. Grand Ave., Suite 2000
Los Angeles, CA 90017-3383

Christine Brown, Wendy Arano and Aaron Yue
California Dept. of Toxic Substances Control
5796 Corporate Ave.
Cypress, CA 90630

Danielle Sakai & Gene Tanaka
Best, Best & Kreiger
3750 University Ave., Mission Square
Riverside, CA 92501

Glen Yabuno & Ken Ayers
County of San Bernardino
Specialized Prosecutions Unit
412 W. Hospitality Lane, Ste. 301
San Bernardino, CA 92415-0023

Kevin P. Mayer
U.S. EPA, Region IX (Region 9)
75 Hawthorne Street, SFC-7-2
San Francisco, CA 94105-3901

Kathleen Kenealy & Gary Tavetian
California Office of the Attorney General
Deputy Attorney General
300 S. Spring St., Ste. 500 N
Los Angeles, CA 90013-1204

Mike Whitehead, Mike McGraw, Jim Bryson
& Gerald J Black
Fontana Water Company
P.O. Box 987
Fontana, CA 92335

Mike Bledsoe & Michael Wochnick
California Integrated Waste Management Board
P.O. Box 4025
Sacramento, CA 95812-4025

Sarah Mueller, Wayne Praskins & Matt Mitguard
U.S. EPA - Region 9
75 Hawthorne Street
San Francisco, CA 94105

Susan M. Trager & Francis D. Logan, Jr.
Law Offices of Susan M. Trager
19712 MacArthur Blvd., Ste. 120
Irvine, CA 92612

Peter Fox, Tim Mim Mack & Robert Owen
City of Rialto
Public Works Department
150 S. Palm Avenue
Rialto, CA 92376

Tim Ryan & Robert Young
San Gabriel Valley Water Company
Fontana Water Company
11142 E. Garvey Ave.
El Monte, CA 91732

Tom Soto
PS Enterprises
3350 Ocean Park Blvd., Ste. 205
Santa Monica, CA 92405

Bob Bradford, Manager of Operations
Burrtec Waste Industries, Inc.
222 W. Hospitality Lane, 2nd Floor
San Bernardino, CA 92408

Richard Haberman
California Department of Health Services
Drinking Water Field Operations Branch
1040 E. Herndon Ave., Ste. 205
Fresno, CA 93720

Ken A. Miller & Art Rivera
County of San Bernardino
Public Works Dept. (Flood Control Dist.)
222 W. Hospitality Lane, 2nd Floor
San Bernardino, CA 92415-0017

Ralph Murphy & Gary Lass
Geologic Associates (GLA)
1831 Commercenter East
San Bernardino, CA 92408

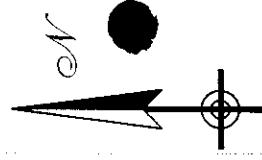
Charles Whisonant
Law Offices of Charles Whisonant
620 Newport Center Drive, 11th Floor
Newport Beach, CA 92660

Joel Moskowitz
Moskowitz, Brestoff, Winston & Blinderman, LLP
1880 Century Park East., Suite 300
Los Angeles, CA 90067-1603

James Peterson
Senator Dianne Feinstein
750 B Street, Suite 1030
San Diego, CA 92101

Kevin P. Mayer
U.S. EPA, Region IX (Region 9)
75 Hawthorne Street, SFC-7-2
San Francisco, CA 94105-3901

EXHIBIT 1



SITE PLAN - ASTRO PYROTECHNICS
2298 W. Stonehurst Drive
Rialto, CA 92377

ASTRO PYROTECHNICS
Project: 24185.001

File Name: AP Plan
Date: December 2002

KLEINFELDER
1940 Orange Tree Lane
Redlands, CA 92374

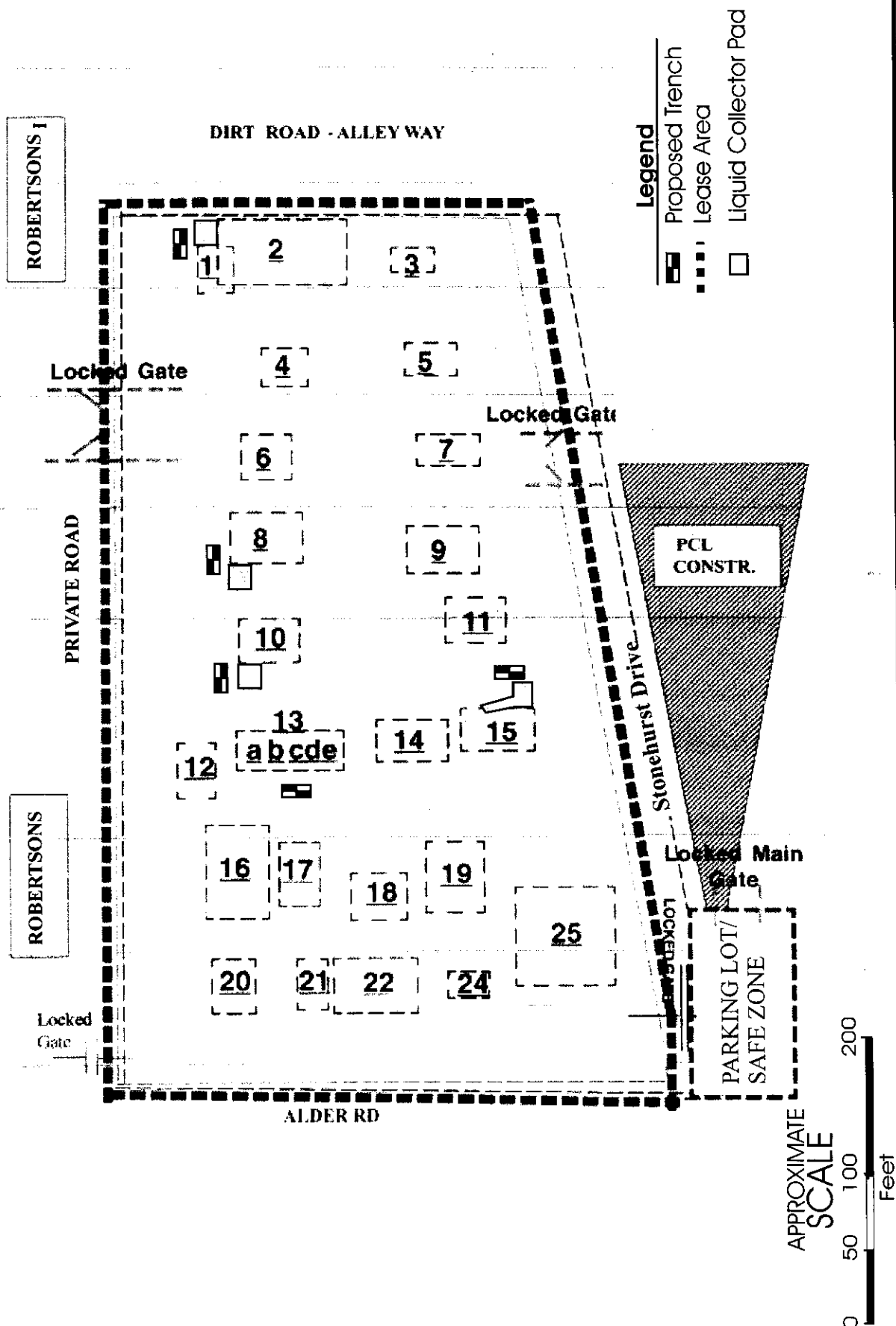


EXHIBIT 2

TROJAN FIREWORKS CO. • 13500 EXCELSIOR DRIVE • NORWALK, CALIFORNIA 90650

address mail for P.O. Box 441 • cable address TROJFIRE • phone (213) 921-4466 • (714) 321-6767

January 9, 1973



City of Rialto
Planning Commission
Mr. Richard E. Downing, Director
150 South Palm Avenue
Rialto, California 92376

Re: APPLICATION FOR CONDITIONAL DEVELOPMENT,
2-1/2 Acres N/E Corner Stonehurst and
Alder Streets, Rialto, California

Gentlemen:

We respectfully submit herewith our application for conditional development of the stated property, now located in the City of Rialto.

It is our intention to re-activate this plant and manufacture only California "safe and sane" commercial fireworks as approved by the State Fire Marshal for retail sale each fourth of July season. Although this facility was formerly licensed and used by American Explosives Company (AMEX) for production of military pyrotechnics, we do not intend to engage in the production of Class A explosives, but limit it to Class C only.

The plot plan submitted herewith indicates the proposed usage of existing structures. Storage, both existing and proposed, will most likely consist of only such raw materials as paper tubes, paper cones, corrugated shipping containers, adhesives, labels, etc. Chemical storage is scheduled for our facilities immediately to the north in the former government bunkers where we operate our display fireworks division, known as Astro Pyrotechnics. As goods are finished in this facility they will be dispatched to our Norwalk warehouses via our own vehicular equipment, for final assembly and packaging.

Any doubts as to the ability of our company to set-up, maintain and operate such a facility can readily be answered. The petitioner, O. D. Peters, president, has over 27 years experience in this field; our vice-president, Mr. B. W. Wells is probably one of the outstanding pyrotechnicians in the world

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City of Rialto
Planning Commission

Page -2-
January 9, 1973

(see resume attached), and the plant superintendent, Mr. Gerald Gerth is likewise well-versed in the field, being a graduate chemical engineer from California Institute of Technology.

We look forward to favorable action on our application, and pledge our efforts to making this a production facility that will please the administrators and citizens of Rialto. If further facts or information is needed, please call on us.

Yours very truly,

TROJAN FIREWORKS CO.



O. D. Peters,
President

ODP:dv

Enc.

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THIS MAP IS FOR THE PURPOSE
OF AD VALOREM TAXATION ONLY.
NOT TO SURVEYOR'S SCALE.

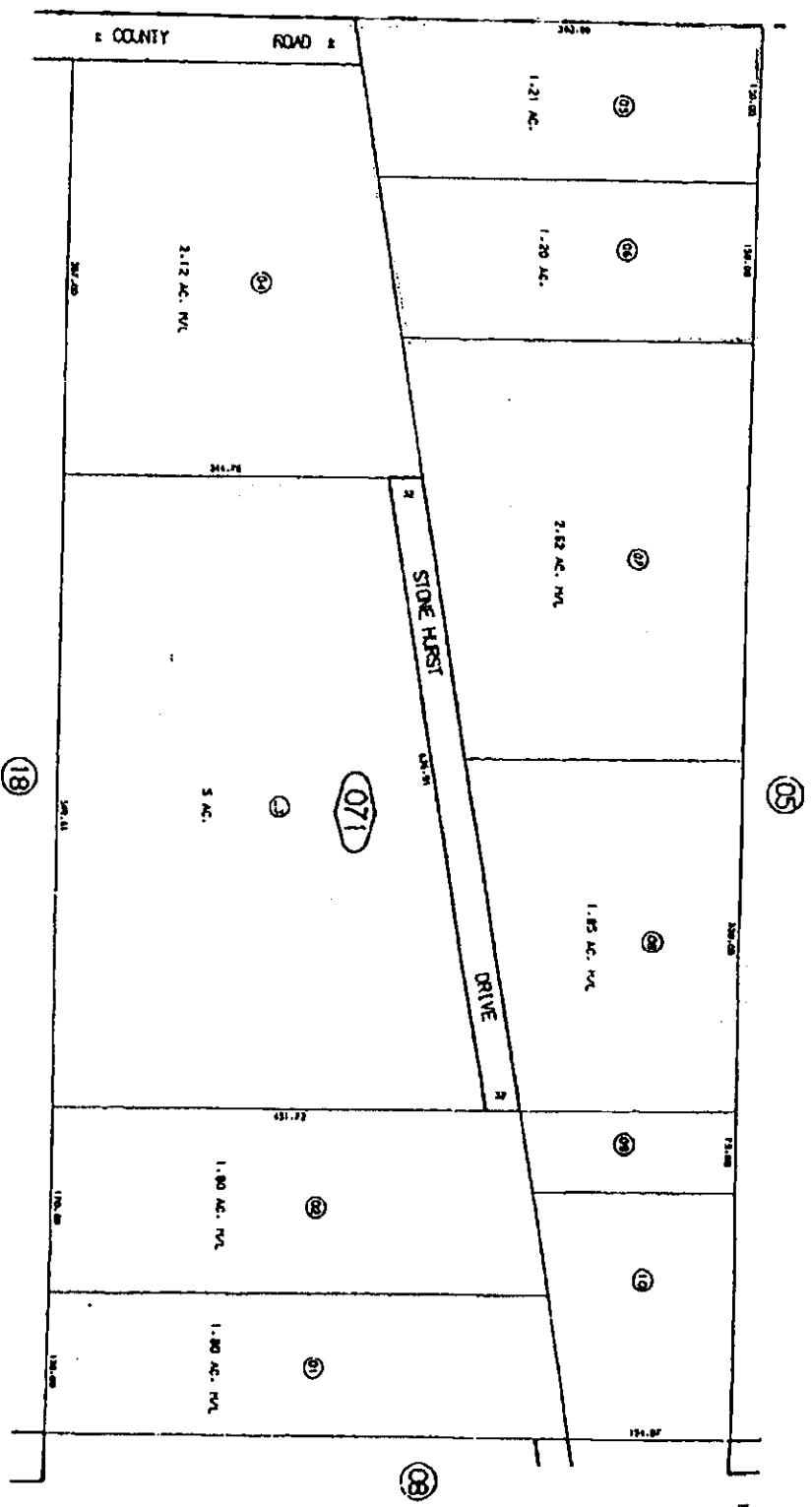


S. 1/2, S.W. 1/4, N.W. 1/4, Sec. 28, T.1 N., R.5 W., S.B.M.

Rialto City
Tax Rate Area
6015

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FEB. 1991

For: N.W. 1/4, Sec. 28
T.1 N., R.5 W.

Assessor's Map
Book 1133 Page 07
San Bernardino County

RECEIVED
02/28/91

Schedule C

The land referred to in this policy is described as follows:

THAT PORTION OF THE SOUTH 660 FEET OF THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH 660 FEET OF SAID NORTHWEST ONE-QUARTER OF SECTION 28; THENCE EAST ALONG THE NORTH LINE OF SAID SOUTH 660 FEET, 300 FEET TO THE NORTHEAST CORNER OF PROPERTY CONVEYED TO WILLIAM L. LYON AND WIFE, BY DEED RECORDED MAY 12, 1955 IN BOOK 3643 PAGE 154, OFFICIAL RECORDS, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING EAST ALONG THE NORTH LINE OF SAID SOUTH 660 FEET TO THE NORTHWEST CORNER OF THE PROPERTY CONVEYED TO JAMES G. JEFFERYS AND WIFE BY DEED RECORDED DECEMBER 31, 1954 IN BOOK 3537 PAGE 326 OFFICIAL RECORDS; THENCE SOUTH ALONG THE WEST LINE OF SAID JEFFERYS PROPERTY TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 79° 37' WEST TO THE SOUTHEAST CORNER OF SAID WILLIAM L. LYON PROPERTY; THENCE NORTH ALONG THE EAST LINE OF SAID LYON PROPERTY TO THE POINT OF BEGINNING.

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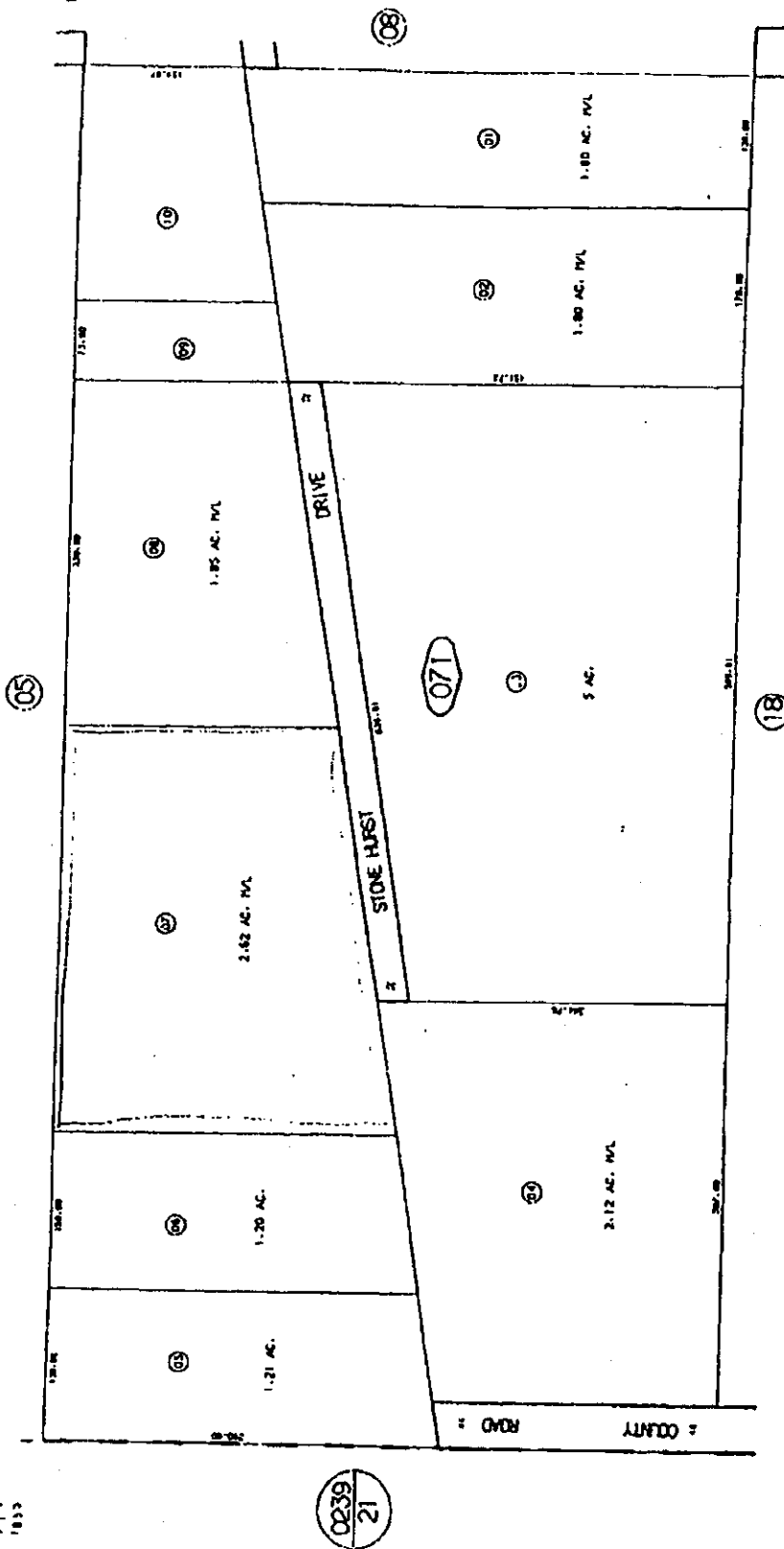
THIS MAP IS FOR THE PURPOSE
OF AD VALOREM TAXATION ONLY.
NOT TO SURVEYOR'S SCALE.



S. 1/2, S.W. 1/4, N.W. 1/4, Sec. 28, T.1 N., R.5 W., S.B.M.

Rialto City
Tax Rate Area
6015

1133-07



REVISED
02/28/11

Assessor's Map
Book 1133 Page 07
San Bernardino County

Per. N.W. 1/4, Sec. 28
T.1 N., R.5 W.

FEB. 1991

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FLK
COUNTY FIRE DEPARTMENT86008402
COUNTY OF SAN BERNARDINOHAZARDOUS MATERIALS DIVISION
383 North Arrowhead Avenue, Second Floor • San Bernardino, CA 92415-0153RICHARD W. SEWELL
Fire Chief
County Fire Warden

June 4, 1987

Astro Pyrotechnics
2296 W. Stonelust
Rialto, CA 92376

Facility manufactures theatrical and small stadium fireworks.

Facility was inspected on March 17, 1987 for compliance with hazardous material and waste laws and regulations. John Jeska of this Department was also present.

Facility has current permits as a hazardous material handler and a hazardous waste generator from this Department.

The Business/Contingency Plan was last updated in January 1984.

The facility has small buildings that hold raw materials and for manufacturing of the fireworks. Magazines on site are used to store finished product, waste chemicals, and unusable or off specification fireworks.

Assembly of the fireworks is conducted in small pre-fab buildings. The chemicals are formed or pressed into shape and containerized. The "oxidizer" building has a hydraulic oil leak coming from its hydraulic press. The oil has leaked through the floor and has pooled on the ground next to the building.

Two buildings have small concrete bermed areas next to them that are used to collect the chemical sweepings (waste) that have fallen on the floor from the manufacturing process. The floors inside the buildings are washed out with water. The chemicals on the floor are washed out into these shallow bermed areas and kept underwater. The water is periodically drained and the "sludge" is collected and stored in the magazines to await disposal. About 50 pounds are collected before they are burned on site.

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Astro Pyrotechnics
Page 2

Off specification fireworks are also kept in the magazines. Leo Autote of Astro Pyrotechnics and Dean Collister and Gary Brown of Pyro Spectacular, stated in person or in phone conversations that these wastes are hauled off site under a bill of lading, with approval from the State Fire Marshall's office. These wastes are disposed of by burning, most recently in Merced County. Copies of the bills of lading were requested from Mr. Collister on March 28, 1997, but none have been received by this Department.

Greg Smith and Marge Yarbrough of the State Fire Marshall's office stated that Pyro Spectacular (parent company of Astro Pyrotechnics) was under a one-time contract last year to remove confiscated fireworks from Southern California area fire departments and Sheriff's offices and was allowed to haul some of their own wastes under that contract. No current contract exists with the State Fire Marshall's office for removal of any waste from either company.

The South Coast Air Quality Management District has given the facility a yearly clearance which allows the Rialto Fire Department to approve burn permits on Astro Pyrotechnics property with certain restrictions.

Off specification fireworks and manufacturer chemical floor sweepings meet the definition of hazardous waste under 22 CCR 88261.2(c) and 88262.21. They are wastes because they are disposed of by burning and meet RCRA hazardous waste criteria because of their ignitibility characteristic.

Requirements to be completed within 30 days:

1. All hazardous wastes must be properly contained and labeled. The label must have the words "Hazardous Waste" on it and the following information must be completed: Name and address of facility, accumulation start date, contents and composition, physical state and hazardous properties. A sample label is enclosed.
2. Storage areas for hazardous waste must be inspected weekly and a log kept of the inspections. A sample form is enclosed.
3. All hazardous waste must be removed by a licensed hazardous waste hauler, and transported to a permitted facility. The hazardous waste must be removed from the facility within 180 days of the accumulation start date (90 days if more than 1000 kg/month is generated).

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Astro Pyrotechnics**Page 3**

4. Hazardous wastes must be hauled with a hazardous waste manifest when removed from the facility. Hazardous waste manifests must be kept on site and available for review for a minimum of three (3) years.
5. An EPA ID number is required to generate and have hazardous waste hauled off site. This number can be obtained by calling (415) 495-8895.
6. Properly contain all leaks and operate machinery and equipment to prevent leaks or spills. Properly clean up and dispose of, as hazardous waste, oil and contaminated soil from around production building. Submit the manifest to this Department.
7. Update and submit the Business/Contingency Plan. Continue to submit updates at least annually.
8. Burning of off specification fireworks and chemical floor sweepings is considered treatment and/or disposal of a hazardous waste. Immediately cease treating or disposing of these hazardous wastes by burning without authorization or a permit from the State Department of Toxic Substances Control (DTSC). Permits from other jurisdictions, such as Rialto Fire Department, South Coast Air Quality Management District, or the State Fire Marshall's office, do not give a variance to any laws or regulations in handling or disposing of hazardous waste. Contact DTSC at (310) 590-4868 for information on permits required for treating or disposing of hazardous waste.
9. Releasing the water covering the chemical floor sweepings to the ground is an illegal discharge of a hazardous waste. The water must be analyzed by a State Certified Laboratory to verify that it does not meet hazardous waste criteria, including toxicity and ignitability. A list of State certified analytical laboratories is enclosed. Submit a copy of the completed analysis to this Department. Discharge of wastewater to the surface of the ground is prohibited unless written approval has been granted by the Rialto Water/Wastewater Department, and/or Santa Ana Regional Water Quality Control Board.

SBCHEMD**00-1-233**

Astro Pyrotechnics
Page 4

The following documents must be submitted to this Department within 30 days:

EPA ID number
Business/Contingency Plan update
Manifest for contaminated soil removal
Analysis of water covering the chemical floor sweepings

When the above requirements have been completed, submit the completed Certificate of Compliance with all required documents to this Department.

If you have any questions, call (908) 387-3080.

Greg Beach

GREG BEACH, R.E.H.S.
Hazardous Materials Field Services

G8:vr

Enclosures

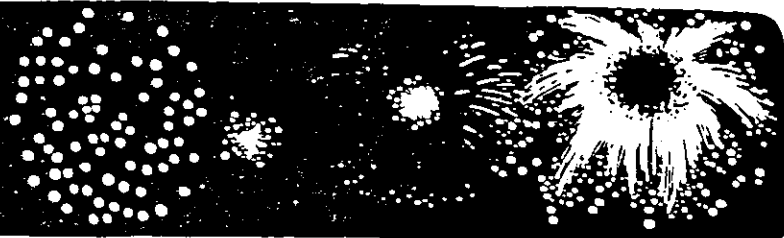
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PYRO SPECTACULARS

P.O. BOX 910 • RIALTO, CALIFORNIA 92376 • (714) 874-1644
FACTORY: 3196 LOCUST AVENUE • RIALTO, CALIFORNIA 92376



January 17, 1984

Apollo Manufacturing
Mr. Ralph Apel
3196 North Locust Avenue
Rialto, California 92376

Re: Hazardous Waste

Dear Ralph:

The materials disposed of in the pond by Pyro Spectaculars are various aerial shells. The amounts would vary from 0 per month up to about 15 or 20 per month at peak season (July-August).

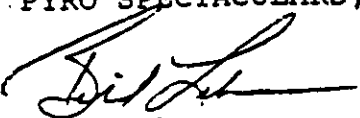
Sizes would range from 3"-6" with occasional larger shells. The chemicals generally found in these shells are listed below, with an average shell, pyrotechnic content of 800 grams:

Charcoal
Sulphur
Aluminum
Magnesium
Potassium Nitrate
Potassium Perchlorate
MG and AL Alloy

Barrium Nitrate
Gum
Strontium Carbonate
Carbon
Resinox
Strontium Nitrate

Very truly yours,

PYRO SPECTACULARS, INC.


Bill Lehman
Plant Manager

BL/dr

AP 00455

File
COUNTY FIRE DEPARTMENT

HAZARDOUS MATERIALS DIVISION
385 North Arrowhead Avenue, Second Floor • San Bernardino, CA 92415-8163



86008402
COUNTY OF SAN BERNARDINO

RICHARD W. SEWELL
Fire Chief
County Fire Warden

June 4, 1987

Astro Pyrotechnics
2298 W. Stonehurst
Rialto, CA 92376

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Facility was inspected on March 17, 1987 for compliance with hazardous material and waste laws and regulations. John Jeska of this Department was also present.

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Astro Pyrotechnics
Page 4

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GREG BEACH, R.E.H.S.
Hazardous Materials Field Services

GB:vr

Enclosures

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Non - Trade Secret Page

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SAN DIEGO

2000-07-00



HAZARDOUS WASTE GENERATOR INSPECTION REPORT

Dean Collier - U.P.

Facility Name ASTRO PAK/TECHNICS

Contact Person Leo Autote

Site Address 2298 W. Stockham Road 92376

Phone Number 714 822-0108

Mailing Address

Don Williams

EPA Number

Others Present

The following violations have been noted and must be corrected as follows:

Permits are current & posted.

WEIGHING BUILDING INVENTORY: Chemical, Alum products, soil, weed mat, small containers, well labelled

Chemicals in Trailers: Hexachloroethane, Sodium Ethoxide, Sodium benzoate, barium carbonate, hexanoic acid powder, hexaminy, stannous carbonate, sodium nitrate, ammonium nitrate, strontium nitrate, copper oxide, barium nitrate, cerium nitrate, perchlorate, soil sulfur, green chemical, powdered material,

RECORD	DESCRIPTION	DATE
1	Storage Over 60 Days	11
2	Removal/Remediation	12
3	Drum Labeling	13
4	Labels Dated	14
5	Containers Sealed	15
6	Containers Closed	16
7	Materials in Proper Labels	17
8	Materials in Proper Labels	18
9	Materials in Proper Labels	19
10	Materials in Proper Labels	20
11	Materials in Proper Labels	21
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36	Materials in Proper Labels	46
37	Materials in Proper Labels	47
38	Materials in Proper Labels	48
39	Materials in Proper Labels	49
40	Materials in Proper Labels	50

Additional Comments:

Oxidizers are kept separate from other chemicals.
Fireworks - 58 & 59 - are kept in warehouse away from chemicals.
On 4 acetylene kept in machine shop. (last a/c will be removed by licensed driver)
Business Plan was available.

Inspector Maia Kelly Received By Leo Autote Date 6/29/90
HAZARDOUS MATERIALS FIELD SERVICES - 385 North Arrowhead Avenue, San Bernardino, CA 92415-0180 - (714) 387-3080

FIRE PROTECTION AGENCY AND SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

*GEN FILE
ASTRO PYROTECH.*

APPLICATION AND PERMIT TO BURN

Fire Agency Rialto Fire Department
 Name (Applicant) Astro-Pyrotechnics Tel. No. 714-822-0103
 Address 2298 West Stonehurst Ave City Rialto, California
 Burning Site Location 3196 N Locust Ave.
 Section _____ Township _____ Range _____ Cross Street _____

APPLICATION: I hereby apply for a Permit to Burn the material indicated below pursuant to the South Coast Air Quality Management District Rule 444.

Name and Type of Material Hazardous Pyrotechnic Waste Materials

Estimated Quantity (Tons) _____ Acreage _____
 Fire Hazard XX Firefighting Training N/A Agricultural Burning N/A
N/A Tumbleweeds (Russian Thistle) _____ Other N/A

I OWN OR LEGALLY CONTROL THE ABOVE-DESCRIBED LAND AND I AGREE TO COMPLY WITH ALL FIRE AND AIR QUALITY MANAGEMENT LAWS, ORDINANCES, REGULATIONS AND TERMS OF THE PERMIT. I CERTIFY THAT I HAVE READ AND UNDERSTAND THE REVERSE SIDE OF THIS APPLICATION.

Signature of Applicant _____ Date _____

Administrative Use:

FIRE AGENCY: Field inspection made by E. Gutierrez Date June 1988

Meets Requirements of Rule 444. Yes ☒ No ☐ Referred to AQMD Date June 23, 1988

Remarks: Copy to L. Stiles Sup. Eng. AQMD

Permit: Applicant is hereby authorized to conduct open burning in accordance with above information, and subject to the following:

1. Permit Duration June 23 ⁸³ through August 1, 1988
2. Burning to be confined between the hours 7 AM/PM through 11 AM/PM
3. Other Requirements Burning Permitted on approved AQMD burn days only, Only declared Pyrotechnic waste materials may be destroyed, Inventory all Pyrotechnic Waste

4. Telephone 714-820-2508 Fire Prev. Div. 714-387-6075 Fire Dispatch _____ BEFORE BURNING

5. Emergency Telephone 911

Issuing Agency RIALTO FIRE DEPT

Issued by (Name) Thomas J. Mc Veitty

Title Fire Marshal Date June 23, 1988

SEE REVERSE SIDE FOR OTHER CONDITIONS AND REQUIREMENTS

DISTRIBUTION: White - Permittee, Canary - Issuing Agency, Pink - SCAQMD

Form No. 588-2-85

SBC HMD

0011250

Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor

Occupational Safety and Health Administration
(Non-Mandatory Form)

Form Approved

OMB No. 1218-0072



IDENTITY (As Used on Label and Use)

GREEN COLOR

Note: Blank spaces are not permitted. If any item is not applicable, or no
information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name

CELEBRITY FIREWORKS, INC.

Emergency Telephone Number

(714) 822-3758

Address (Number, Street, City, State, and ZIP Code)

P.O. Box 1429

Telephone Number for Information

(714) 822-3758

Date Prepared

10/15/86

Signature of Preparer (optional)

2440 N. Alder

Rialto, Ca. 92376

Section II — Hazardous Ingredients/Identity Information

Hazardous Components (Specific Chemical Identity, Common Name(s))

ACGIH TLV

CAS #

Barium Nitrate

0.5 mg/m³

10022-31-8

Charcoal

Dextrin

Magnesium Aluminum Alloy

5 mg/m³

7778-74-7

Potassium Perchlorate

Red Gum

5 mg/m³

68441-58-7

Superchlor CR

Section III — Physical/Chemical Characteristics

Boiling Point

N/A

Specific Gravity (H₂O = 1)

N/A

Vapor Pressure (mm Hg)

N/A

Melting Point

N/A

Vapor Density (AIR = 1)

N/A

Evaporation Rate

(Ethyl Acetate = 1)

N/A

Solubility in Water

Moderate

Appearance and Odor

Brown-Orange Granular Powder, Odorless

Section IV — Fire and Explosion Hazard Data

Flash Point (Method Used)

N/A

Flammable Limits

N/A

LEL

UEL

Extinguishing Media

NONE

Special Fire Fighting Procedures

DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its

own oxygen to feed the fire.

Special Fire and Explosion Hazards

Can be ignited by spark, friction or impact. Containers of bulk material may explode

under fire conditions. Finished dry stars are more hazardous than bulk powder.

(Reproduce locally)

OSHA 174 Form 1980

SBCHMD

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Section V — Reactivity Data

Stability	Unstable	X	Conditions to Avoid <u>heat, flame, impact or electric sparks.</u>
	Stable		
Incompatibility (Materials to Avoid)		unknown	
Hazardous Decomposition or Byproducts		<u>Oxides of Nitrogen, Hydrogen Gas, Hydrochloric Acid</u>	
TOXIC SMOKE MAY CONTAIN:		<u>Oxides of Barium, Oxides of Chlorine, Oxides of Carbon</u>	
Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur	X	

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation?	Skin?	Ingestion?
	X	X	
Health Hazards (Acute and Chronic)			
<u>Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.</u>			
Carcinogenicity:	NTP?	ARC Monographs?	OSHA Regulated?
<u>not found</u>			
Signs and Symptoms of Exposure			
<u>Skin and eye redness.</u>			
Medical Conditions Generally Aggravated by Exposure			
<u>unknown</u>			

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	Special
	General room ventilation	
	Mechanical (General)	Other

Protective Gloves	<u>rubber gloves</u>	Eye Protection	<u>safety glasses</u>
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Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Hygienic Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Section V — Reactivity Data

Stability	Unstable	<input checked="" type="checkbox"/>	Conditions to Avoid <u>heat, flame, impact or electric sparks.</u>
	Stable	<input type="checkbox"/>	

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts OXALIC ACID
TOXIC SMOKE MAY CONTAIN: Oxides of Barium, Oxides of Chlorine, Oxides of Nitrogen

Hazardous Polymerization	May Occur	<input type="checkbox"/>	Conditions to Avoid
	Will Not Occur	<input checked="" type="checkbox"/>	

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation? <input checked="" type="checkbox"/>	Skin? <input checked="" type="checkbox"/>	Ingestion? <input checked="" type="checkbox"/>
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Health Hazards (Acute and Chronic)
Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Cardiotoxicity	NTP?	ARC Monograph?	OSHA Regulated?
<u>not found</u>			

Signs and Symptoms of Exposure Skin and eye redness.

Medical Conditions Generally Aggravated by Exposure unknown

Emergency and First Aid Procedures
For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.
For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled
Cautionally sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method
Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing
Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough handling. Avoid storage containers with metal parts. Conductive flooring and footwear in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type) <u>NIOSH Approved dust respirator in areas where dust is present.</u>		
Ventilation	Local Exhaust	Special
	General room ventilation	Other
Mechanical (General)		
Protective Gloves	<u>rubber gloves</u>	Eye Protection <u>safety glasses</u>

Other Protective Clothing or Equipment
Full cover cotton work clothes in mixing and tumbling areas.

Work/Hygiene Practices
Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet
May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



IDENTITY (As Used on Label and List)
BLUE COLOR

Note: Blank spaces are not permitted. If any item is not applicable, or no
information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name CELEBRITY FIREWORKS, INC.	Emergency Telephone Number (714) 822-3758
Address (Number, Street, City, State, and ZIP Code) P.O. Box 1429	Telephone Number for Information (714) 822-3758
2440 W. Alder	Date Prepared 10/15/86
Rialto, Ca. 92376	Signature of Preparer (optional)

Section II — Hazardous Ingredients/Identify Information

Hazardous Components (Specific Chemical Identity; Common Name(s))	ACOSH TLV	CAS #
Cupric Oxide	1 mg/m ³	1317-38-0
Dextrin	0.5 mg/m ³	7778-50-9
Potassium Dichromate	5 mg/m ³	7778-74-7
Potassium Perchlorate		
Red Gum	5 mg/m ³	68441-58-7
Suprachlon CR	15 mg/m ³	7704-34-9
Sulfur		

Section III — Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (H ₂ O = 1)	N/A
Vapor Pressure (mm Hg)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A
Solubility in Water	Moderate		
Appearance and Odor	Brown Granular Powder, Odorless		

Section IV — Fire and Explosion Hazard Data

Flash Point (Method Used)	N/A	Flammable Limits	N/A	LEL	UEL
Extinguishing Media	NONE				

Special Fire Fighting Procedures
**DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its
own oxygen to feed the fire.**

Unusual Fire and Explosion Hazards
**Can be ignited by spark, friction or impact. Containers of bulk material may explode
under fire conditions. Finished dry stars are more hazardous than bulk powder.**

(Reproduce locally)

OSHA 170 Rev 1084

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Section V -- Reactivity Data

Stability	Unstable	X	Conditions to Avoid heat, flame, impact or electric sparks.
	Stable		

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts

TOXIC SMOKE MAY CONTAIN: Oxides of Chlorine, Oxides of Sulfur, Hydrochloric Acid

Hazardous Polymerization	May Occur	X	Conditions to Avoid
	Will Not Occur		

Section VI -- Health Hazard Data

Route(s) of Entry:	Inhalation? X	Skin? X	Ingestion? X
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Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Carcinogenicity:	NTP? not found	IARC Monographs?	OSHA Regulated?
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Signs and Symptoms of Exposure Skin and eye redness.

Medical Conditions Generally Aggravated by Exposure unknown

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII -- Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII -- Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	Special
	General room ventilation	
	Mechanical (General)	Other

Protective Gloves rubber gloves Eye Protection safety glasses

Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Work Hygienic Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Section V — Reactivity Data

Stability	Unstable	X	Conditions to Avoid
	Stable		

heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts Hydrochloric Acid

TOXIC SMOKE MAY CONTAIN: Oxides of Carbon, Oxides of Chlorine, Oxides of Hydrogen

Hazardous Polymerization	May Occur	X	Conditions to Avoid
	Will Not Occur		

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation? X	Skid? X	Ingestion? X
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Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Carcinogenicity:	NIPT	IARC Monographs?	OSHA Regulated?
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not found

Signs and Symptoms of Exposure	Skin and eye redness.
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Medical Conditions Generally Aggravated by Exposure	unknown
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Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning areas in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	Special
	General room ventilation	
	Mechanical (General)	Other

Protective Gloves	rubbar gloves	Eye Protection	safety glasses
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Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Hygienic Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



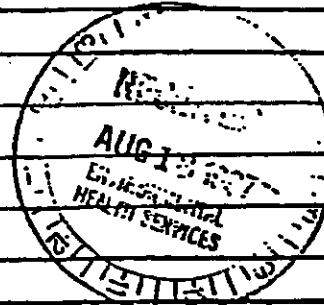
IDENTITY (As Used on Label and Lit)
SALUTE OR ARTILLERY POWDER

Note: Blank spaces are not permitted. If any item is not applicable, or no
information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name
CELEBRITY FIREWORKS, INC.
Address (Number, Street, City, State, and ZIP Code)
P.O. Box 1429
2600 N. Alder
Rialto, Ca. 92376

Emergency Telephone Number
(714) 822-3758
Telephone Number for Information
(714) 822-3758
Date Prepared
10/15/86
Signature of Preparer (optional)



Section II — Hazardous Ingredients/Identity Information

Hazardous Components (Specific Chemical Identity, Common Name(s))	ACGIH TLV	CAS #
Aluminum	10 mg/m ³	7429-90-5
Potassium Perchlorate	5 mg/m ³	7778-74-7

Section III — Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (H ₂ O = 1)	N/A
Vapor Pressure (mm Hg)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A
Solubility in Water	Moderate		

Appearance and Odor
Silver Gray Powder, Vary Odor

Section IV — Fire and Explosion Hazard Data

Flash Point (Method Used)	N/A	Flammable Limits	LEL	UEL
Extinguishing Media	NONE			

Special Fire Fighting Procedures
DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its
own oxygen to feed the fire.

*Hazard Fire and Explosion Hazards
Can be ignited by spark, friction or impact. Containers of bulk material may explode
under fire conditions. Finished dry stars are more hazardous than bulk powder.

(Reproduce locally)

OSHA 175 Rev. 10/86

SBCHMD

003271

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Section V — Reactivity Data

Stability	Unstable	<input checked="" type="checkbox"/>	Conditions to Avoid
	Stable		heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts Hydrochloric Acid

TOXIC SMOKE MAY CONTAIN: Oxides of Hydrogen, Oxides of Chlorine, Hydrogen Gas

Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur	<input checked="" type="checkbox"/>	

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation? <input checked="" type="checkbox"/>	Skin? <input checked="" type="checkbox"/>	Ingestion? <input checked="" type="checkbox"/>
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Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Carcinogenicity:	NTP?	IARC Monographs?	OSHA Regulated?
not found			

Signs and Symptoms of Exposure Skin and eye redness.

Medical Conditions Generally Aggravated by Exposure unknown

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	General room ventilation	Special
	Mechanical (General)		Other

Protective Gloves rubber gloves Eye Protection safety glasses

Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Sanitary Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



IDENTITY (As Used on Label and Lit)

FLASH RAG POWDER

Note: Blank spaces are not permitted. If any item is not applicable, or no
information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name

CELEBRITY FIREWORKS, INC.

Address (Number, Street, City, State, and ZIP Code)

P.O. Box 1429

2440 N. Alder

Rialto, Ca. 92376

Emergency Telephone Number

(714) 822-3758

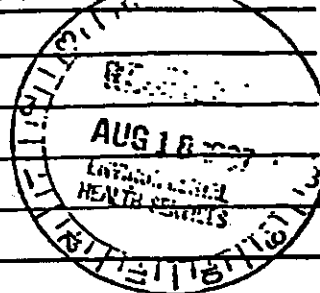
Telephone Number for Information

(714) 822-3758

Date Prepared

10/15/86

Signature of Preparer (optional)



Section II — Hazardous Ingredients/Identity Information

Hazardous Components (Specific Chemical Identity; Common Name(s))	ACGIH TLV	CAS #
Aluminum	10 mg/m ³	7429-90-5
Antimony Sulfide	0.5 mg/m ³	1315-04-4
Barium Nitrate	0.5 mg/m ³	10022-31-8
Potassium Nitrate	5 mg/m ³	7757-79-1
Potassium Perchlorate	5 mg/m ³	7778-74-7
Sulfur	15 mg/m ³	7704-34-9

Section III — Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (H ₂ O = 1)	N/A
Vapor Pressure (mm Hg)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A
Solubility in Water	Moderate		

Appearance and Odor

Silver Gray Granular Powder, Waxy Odor

Section IV — Fire and Explosion Hazard Data

Flash Point (Method Used)	N/A	Flammable Limits	LEL	UEL
			N/A	
Extinguishing Media	NONE			

Special Fire Fighting Procedures

DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its

own oxygen to feed the fire.

Unusual Fire and Explosion Hazards

Can be ignited by spark, friction or impact. Containers of bulk material may explode

under fire conditions. Finished dry stars are more hazardous than bulk powder.

(Reproduce locally)

SBCHMD

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Section V -- Reactivity Data

Stability	Unstable	X	Conditions to Avoid
	Stable		

heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid)

unknown

Hazardous Decomposition or Byproducts Oxides of Hydrogen, Hydrogen Gas, Hydrochloric Acid, Oxides of Antimony

TOXIC SMOKE MAY CONTAIN: Oxides of Nitrogen, Oxides of Chlorine, Oxides of Sulfur

Hazardous Polymerization	May Occur	X	Conditions to Avoid
	Will Not Occur		

Section VI -- Health Hazard Data

Route(s) of Entry:	Inhalation?	Swallow?	Ingestion?
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Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Carcinogenicity:	NTP?	IARC Monographs?	OSHA Regulated?
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not found

Signs and Symptoms of Exposure	Skin and eye redness.
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Medical Conditions Generally Aggravated by Exposure	unknown
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Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII -- Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII -- Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	General room ventilation	Special
	Mechanical (General)		Other

Protective Gloves	rubber gloves	Eye Protection	safety glasses
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Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Sanitary Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

SECTION

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Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor

Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



IDENTITY (As Used on Label and Lit)

TITANIUM SALUTE OR TITANIUM ARTILLERY

Note: Blank spaces are not permitted. If any item is not applicable, or no
information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name

CELEBRITY FIREWORKS, INC.

Emergency Telephone Number

(714) 822-3758

Address (Number, Street, City, State, and ZIP Code)

P.O. Box 1429

Telephone Number for Information

(714) 822-3758

Date Prepared

10/15/86

Signature of Preparer (optional)

2440 N. Alder

Rialto, Ca. 92376

Section II -- Hazardous Ingredients/Identify Information

Hazardous Components (Specific Chemical Identity; Common Name(s))	ACGIH TLV	CAS #
Aluminum	10 mg/m ³	7429-90-5
Potassium Perchlorate	5 mg/m ³	7778-74-7
Titanium	10 mg/m ³	134-636-77

Section III -- Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (H ₂ O = 1)	N/A
Vapor Pressure (mm Hg)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A

Solubility in Water

Moderate

Appearance and Odor

Silver Gray Granular Powder. Waxy Odor

Section IV -- Fire and Explosion Hazard Data

Flash Point (Method Used)	N/A	Flammable Limits	LEL	UEL
		N/A		

Extinguishing Media

NONE

Special Fire Fighting Procedures

DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its

own oxygen to feed the fire.

Unusual Fire and Explosion Hazards

Can be ignited by spark, friction or impact. Containers of bulk material may explode

under fire conditions. Finished dry stars are more hazardous than bulk powder.

(Reproduce locally)

SECRET

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Section V — Reactivity Data

Stability	Unstable	X	Conditions to Avoid
	Stable		

heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts Hydrochloric Acid

TOXIC SMOKE MAY CONTAIN: Oxides of Chlorine, Oxides of Hydrogen, Hydrogen Gas,

Hazardous Polymerization	May Occur	X	Conditions to Avoid
	Will Not Occur		

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation? X	Skin? X	Ingestion? X
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Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritative to skin and eyes. Toxic if swallowed.

Carcinogenicity:	NTP?	ARC Monographs?	OSHA Regulated?
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not found

Signs and Symptoms of Exposure Skin and eye redness.

Medical Conditions Generally Aggravated by Exposure unknown

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	General room ventilation	Special
	Mechanical (General)		Other

Protective Gloves rubber gloves

Eye Protection safety glasses

Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Work/Hygiene Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



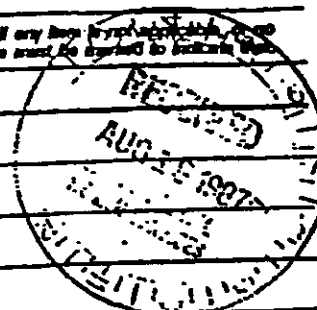
IDENTITY (As Used on Label and Lin)
GREEN ELECTRIC COMETS

Note: Blank spaces are not permitted. If any data is not applicable, no
information is available, the space must be marked to indicate this.

Section I

Manufacturer's Name
CELEBRITY FIREWORKS, INC.
Address (Number, Street, City, State, and ZIP Code)
P.O. Box 1429
7440 N. Alder
Rialto, Ca. 92376

Emergency Telephone Number
(714) 822-3758
Telephone Number for Information
(714) 822-3758
Date Prepared
10/15/86
Signature of Preparer (optional)



Section II -- Hazardous Ingredients/Identity Information

Hazardous Components (Specify Chemical Identity, Common Name(s))	ACGIH TLV	CAS #
Aluminum	10 mg/m ³	7429-90-5
Barium Nitrate	0.5 mg/m ³	10022-31-8
Boric Acid		10043-35-3
Dextrin	5 mg/m ³	7778-74-7
Potassium Perchlorate		
Red Gum	5 mg/m ³	009011-06-7
Saran (506) Resin		

Section III -- Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (4°C - 1)	N/A
Vapor Pressure (mm Hg)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A

Solubility in Water

Moderate

Appearance and Odor

Gray-Pink Granular Powder, Odorless

Section IV -- Fire and Explosion Hazard Data

Flash Point (Method Used)	N/A	Flammable Limits	UEL	UEL
Extinguishing Media	FOAM			

Special Fire Fighting Procedures

DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its
own oxygen to feed the fire.

Unusual Fire and Explosion Hazards

Can be ignited by spark, friction or impact. Containers of bulk material may explode
under fire conditions. Finished dry stars are more hazardous than bulk powder.

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Section V — Reactivity Data

Stability	Unstable	X	Conditions to Avoid
	Stable		

heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid)

unknown

Hazardous Decomposition or Byproducts: Oxides of Barium, Hydrogen Gas, Hydrochloric Acid

TOXIC SMOKE MAY CONTAIN: Oxides of Hydrogen, Oxides of Nitrogen, Oxides of Chlorine

Hazardous Polymerization

May Occur

Will Not Occur

Conditions to Avoid

X

Section VI — Health Hazard Data

Route(s) of Entry:

Inhalation?

X

Skin?

X

Ingestion?

X

Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Carcinogenicity:

not found

NTP?

ARC Monograph?

OSHA Regulated?

Signs and Symptoms of Exposure

Skin and eye redness.

Medical Conditions

Generally Aggravated by Exposure

unknown

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation

Local Exhaust

General room ventilation

Special

Mechanical (General)

Other

Protective Gloves

rubber gloves

Eye Protection

safety glasses

Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Work Hygienic Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



IDENTITY (As Used on Label and Use)
GREEN MAGNESIUM

Note: Blank spaces are not permitted. If any line is not applicable, or no
information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name
CELEBRITY FIREWORKS, INC.
Address (Number, Street, City, State, and ZIP Code)
P.O. Box 1429
2640 N. Alder
Rialto, Ca. 92376

Emergency Telephone Number
(714) 822-3758
Telephone Number for Information
(714) 822-3758
Date Prepared
10/15/86
Signature of Preparer (optional)

Section II — Hazardous Ingredients/Identify Information

Hazardous Components (Specific Chemical Identity; Common Name(s))	ACGIH TLV	CAS #
Barium Nitrate	0.5 mg/m³	10022-31-0
Boric Acid		
Charcoal		
Dextrin		
Magnesium Aluminum Alloy	5 mg/m³	7778-74-7
Potassium Perchlorate		
Red Gum	5 mg/m³	68441-58-7
Supercellon CR		

Section III — Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (4°C/4°C = 1)	N/A
Vapor Pressure (mm Hg)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A
Solubility in Water	Moderate		

Appearance and Odor
Brown Gray Granular Powder, Odorless

Section IV — Fire and Explosion Hazard Data

Flash Point (Method Used)	N/A	Flammable Limits	N/A	LEL	UEL
Extinguishing Media	NONE				

Special Fire Fighting Procedures
DO NOT TRY TO EXTINGUISH. Clear the area and allow to burn. Mixture supplies its

own oxygen to feed the fire.

Unusual Fire and Explosion Hazards
Can be ignited by spark, friction or impact. Containers of bulk material may explode

under fire conditions. Finished dry stars are more hazardous than bulk powder

(Reproduce locally)

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Section V — Reactivity Data

Stability	Unstable	X	Conditions to Avoid
	Stable		

heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts Oxides of Carbon, Oxides of Nitrogen, Oxides of Barium, Oxides of TOXIC SMOKE MAY CONTAIN: Hydrogen, Oxides of Chlorine, Hydrochloric Acid, Hydrogen Gas

Hazardous Polymerization	May Occur	X	Conditions to Avoid
	Will Not Occur		

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation?	Skin?	Ingestion?
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Health Hazards (Acute and Chronic)
Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Carcinogenicity:	NTP?	IARC Monographs?	OSHA Regulated?
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not found

Signs and Symptoms of Exposure Skin and eye redness.

Medical Conditions Generally Aggravated by Exposure unknown

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)
NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	Special
	General room ventilation	
	Mechanical (General)	Other

Protective Gloves rubber gloves

Eye Protection safety glasses

Other Protective Clothing or Equipment Full cover cotton work clothes in mixing and tumbling areas.

Work Hygienic Practices Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



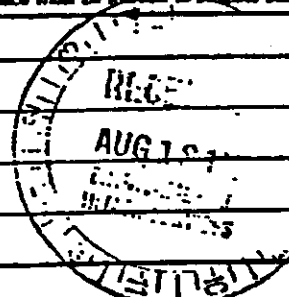
IDENTITY (As Used on Label and LHS)
CHARTREUSE MAGNESIUM

Note: Blank spaces are not permitted. If any item is not applicable, or no
information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name
CELEBRITY FIREWORKS, INC.
Address (Number, Street, City, State, and ZIP Code)
P.O. Box 1429
1440 N. Alder
Rialto, Ca. 92376

Emergency Telephone Number
(714) 822-3758
Telephone Number for Information
(714) 822-3758
Date Prepared
10/15/86
Signature of Preparer (optional)



Section II — Hazardous Ingredients/Identify Information

Hazardous Components (Specific Chemical Identity, Common Name(s))	ACQNTLY	CAS #
Barium Nitrate	0.5 mg/H ³	10022-31-8
Cryolite	5 mg/H ³	1331-71-1
Dextrin		
Magnesium Aluminum Alloy		
Potassium Perchlorate	5 mg/H ³	7778-74-7
Red Gum		
Superchlor CR	5 mg/H ³	68441-58-7
Boric Acid		10043-35-3

Section III — Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (H ₂ O = 1)	N/A
Vapor Pressure (mm Hg)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A

Solubility in Water
Moderate

Appearance and Odor
Light Pink Granular Powder, Odorless

Section IV — Fire and Explosion Hazard Data

Flash Point (Method Used)	N/A	Flammable Limits	UEL	UEL
		N/A		

Extinguishing Media
NONE

Special Fire Fighting Procedures
DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its
own oxygen to feed the fire.

Unusual Fire and Explosion Hazards
Can be ignited by spark, friction or impact. Containers of bulk material may explode
under fire conditions. Finished dry stars are more hazardous than bulk powder.

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Section V — Reactivity Data

Stability	Unstable	X	Conditions to Avoid heat, flame, impact or electric sparks.
	Stable		

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts Oxides of Hydrogen, Hydrogen Gas, Hydrochloric Acid
TOXIC SMOKE MAY CONTAIN: Oxides of Nitrogen, Oxides of Barium, Oxides of Chlorine

Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur	X	

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation? X	Skin? X	Ingestion? X
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Health Hazards (Acute and Chronic)
Dust is toxic. Mildly irritative to skin and eyes. Toxic if swallowed.

Carcinogenicity: not found	NTP?	ARC Monographs?	OSHA Regulated?
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Signs and Symptoms of Exposure Skin and eye redness.

Medical Conditions Generally Approved by Exposure unknown

Emergency and First Aid Procedures
For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.
For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled
Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method
Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing
Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough handling. Avoid storage containers with metal parts. Conductive flooring and footwear in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)
NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	Special
	General room ventilation	Other
	Mechanical (General)	

Protective Gloves rubber gloves Eye Protection safety glasses

Other Protective Clothing or Equipment
Full cover cotton work clothes in mixing and tumbling areas.

Work Hygienic Practices
Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet
May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



IDENTITY (As Used on Label and List)
PURPLE MAGNESIUM

Note: Blank spaces are not permitted. If any item is not applicable, or no information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name CELEBRITY FIREWORKS, INC.	Emergency Telephone Number (714) 822-3758
Address (Number, Street, City, State, and ZIP Code) P.O. Box 1429	Telephone Number for Information (714) 822-3758
2440 N. Alder	Date Prepared 10/15/86
Rialto, Ca. 92376	Signature of Preparer (optional)

Section II — Hazardous Ingredients/Identify Information

Hazardous Components (Specific Chemical Identity, Common Name(s))	ACGIH TLV	CAS #
Cupric Oxide	1 mg/m ³	1317-38-0
Dextrin		
Magnesium Aluminum Alloy	5 mg/m ³	7778-74-7
Potassium Perchlorate		
Red Gum		
Strontium Carbonate	5 mg/m ³	68441-38-7
Superchlone CR	5 mg/m ³	

Section III — Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (4°C = 1)	N/A
Vapor Pressure (mm Hg.)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A
Solubility in Water Moderate			
Appearance and Odor Dirty Pink Granular Powder, Odorless			

Section IV — Fire and Explosion Hazard Data

Flash Point (Method Used) N/A	Flammable Limits N/A	LEL	UEL
Extinguishing Media NONE			

Special Fire Fighting Procedures
DO NOT TRY TO EXTINGUISH. Clear the area and allow to burn. Mixture supplies its own oxygen to feed the fire.

Unusual Fire and Explosion Hazards
Can be ignited by spark, friction or impact. Containers of bulk material may explode under fire conditions. Finished dry stars are more hazardous than bulk powder.

(Reproduce locally)

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Section V — Reactivity Data

Stability	Unstable	X	Conditions to Avoid
	Stable		heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid)

unknown

Hazardous Decomposition or Byproducts: Oxides of Hydrogen, Oxides of Carbon, Oxides of Nitrogen,
 TOXIC SMOKE MAY CONTAIN: Oxides of Chlorine, Hydrogen Gas, Hydrochloric Acid

Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur	X	

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation?	Skin?	Ingestion?
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Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Cardiogenicity:	NTP?	IARC Monographs?	OSHA Regulated?
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not found

Signs and Symptoms of Exposure

Skin and eye redness.

Medical Conditions

Generally Aggravated by Exposure

unknown

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in
 fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions

in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	General room ventilation	Special
	Mechanical (General)		Other

Protective Gloves

rubber gloves

Eye Protection

safety glasses

Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Work Hygienic Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072



IDENTITY (As Used on Label and List)

BLUE MAGNESIUM

Note: Blank spaces are not permitted. If any item is not applicable, or no
information is available, the space must be marked to indicate that.

Section I

Manufacturer's Name

CELEBRITY FIREWORKS, INC.

Emergency Telephone Number

(714) 822-3758

Address (Number, Street, City, State, and ZIP Code)

P.O. Box 1429

Telephone Number for Information

(714) 822-3758

2440 W. Alder

Date Prepared

10/15/86

Rialto, Ca. 92376

Signature of Preparer (optional)

Section II -- Hazardous Ingredients/Identify Information

Hazardous Components (Specify Chemical Identity; Common Name(s))	ACGIH TLV	CAS #
Cupric Oxide	1 mg/m ³	1317-38-0
Dextrin		
Magnesium Aluminum Alloy		
Potassium Perchlorate	5 mg/m ³	7778-74-7
Red Gum		
Suparchlon CR	5 mg/m ³	68441-58-7

Section III -- Physical/Chemical Characteristics

Boiling Point	N/A	Specific Gravity (H ₂ O = 1)	N/A
Vapor Pressure (mm Hg)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A
Solubility in Water	Moderate		
Appearance and Odor	Gray-Black Granular Powder, Odorless		

Section IV -- Fire and Explosion Hazard Data

Flash Point (Method Used)	N/A	Flammable Limits	N/A	LEL	UEL
Extinguishing Media	NONE				
Special Fire Fighting Procedures	DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its own oxygen to feed the fire.				
Unusual Fire and Explosion Hazards	Can be ignited by spark, friction or impact. Containers of bulk material may explode under fire conditions. Finished dry stars are more hazardous than bulk powder.				

(Reproduce locally)

OSHA 174 Rev. 10-85

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Section V — Reactivity Data

Stability	Unstable	X	Conditions to Avoid
	Stable		heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts

TOXIC SMOKE MAY CONTAIN: Oxides of Chlorine, Oxides of Hydrogen, Hydrogen Gas, Hydrochloric Acid

Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur	X	

Section VI — Health Hazard Data

Route(s) of Entry:	Inhalation?	Skin?	Ingestion?
	X	X	X

Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Cardiotoxicity:	MTP?	ARC Monograph?	OSHA Regulated?
not found			

Signs and Symptoms of Exposure Skin and eye redness.

Medical Conditions Generally Aggravated by Exposure unknown

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations.

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII — Control Measures

Respiratory Protection (Specify Type)

NIOSH Approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	General room ventilation	Special
	Mechanical (General)		Other

Protective Gloves rubber gloves Eye Protection safety glasses

Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Work Hygiene Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

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Material Safety Data Sheet

May be used to comply with
OSHA's Hazard Communication Standard,
29 CFR 1910.1200. Standard must be
consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072

IDENTITY (As Used on Label and Lit)

RED MAGNESIUM

Section I

Manufacturer's Name

CELEBRITY FIREWORKS, INC.

Address (Number, Street, City, State, and ZIP Code)

P.O. Box 1429

2440 N. Alder

Rialto, Ca. 92376

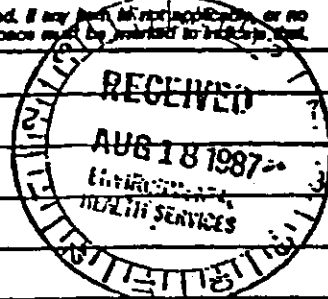
Emergency Telephone Number
(714) 822-3758

Telephone Number for Information
(714) 822-3758

Date Prepared

10/15/86

Signature of Preparer (optional)



Section II — Hazardous Ingredients/Identity Information

Hazardous Components (Specific Chemical Identity; Common Name(s))

ACGHTLV

CAS #

Dextrin

Magnesium Aluminum Alloy

5 mg/M³

7778-74-7

Potassium Perchlorate

Red Gum

5 mg/M³

Strontium Carbonate

5 mg/M³

68441-58-7

Suprachlor CP

Section III — Physical/Chemical Characteristics

Boiling Point

N/A

Specific Gravity (H₂O = 1)

N/A

Vapor Pressure (mm Hg.)

N/A

Melting Point

N/A

Vapor Density (AIR = 1)

N/A

Evaporation Rate
(Butyl Acetate = 1)

N/A

Solubility in Water

Moderate

Appearance and Odor

Light Pink Granular Powder, Odorless

Section IV — Fire and Explosion Hazard Data

Flash Point (Method Used)

N/A

Flammable Limits

N/A

LEL

UEL

Extinguishing Media

NONE

Special Fire Fighting Procedures

DO NOT TRY TO EXTINGUISH.. Clear the area and allow to burn. Mixture supplies its

own oxygen to feed the fire.

Unusual Fire and Explosion Hazards

Can be ignited by spark, friction or impact. Containers of bulk material may explode

under fire conditions. Finished dry stars are more hazardous than bulk powder.

(Reproduce locally)

OSHA 176 Rev. 10/84

SBCHMD

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Section V -- Reactivity Data

Stability	Unstable	X	Conditions to Avoid
	Stable		heat, flame, impact or electric sparks.

Incompatibility (Materials to Avoid) unknown

Hazardous Decomposition or Byproducts Hydrogen Gas, Hydrochloric Acid

TOXIC SMOKE MAY CONTAIN: Oxides of Hydrogen, Oxides of Carbon, Oxides of Chlorine

Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur	X	

Section VI -- Health Hazard Data

Route(s) of Entry:	Inhalation?	Swal?	Ingestion?
	X	X	X

Health Hazards (Acute and Chronic)

Dust is toxic. Mildly irritating to skin and eyes. Toxic if swallowed.

Carcinogenicity:	NTP?	IARC Monographs?	OSHA Regulated?
not found			

Signs and Symptoms of Exposure Skin and eye redness.

Medical Conditions Generally Aggravated by Exposure unknown

Emergency and First Aid Procedures

For eyes, flush with water for 15 minutes. If irritation persists, get medical attention.

For skin, wash with soap and water. If swallowed, consult physician immediately.

Section VII -- Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled

Cautiously sweep up with natural fiber brush or broom. Avoid generating dust. Put in

fiber drum and cover for disposal. Recover dry if possible.

Waste Disposal Method

Dispose of in approved burning area in accordance with Federal, State and Local regulations

Use extreme caution in disposing pyrotechnic mixtures. Do not burn in large quantities.

Precautions to Be Taken in Handling and Storing

Keep cool, dry and covered at all times. Avoid extreme heat, open flames and rough

handling. Avoid storage containers with metal parts. Conductive flooring and footwear

Other Precautions in all mixing and tumbling areas.

Section VIII -- Control Measures

Respiratory Protection (Specify Type) NIOSH approved dust respirator in areas where dust is present.

Ventilation	Local Exhaust	General room ventilation	Special
	Mechanical (General)		Other

Protective Gloves rubber gloves Eye Protection safety glasses

Other Protective Clothing or Equipment

Full cover cotton work clothes in mixing and tumbling areas.

Work Hygienic Practices

Good housekeeping essential. Keep area free from accumulation of dust or residue.

S B C H M D

003294



STATE OF ARKANSAS
Department of Pollution Control and Ecology
P.O. Box 8913 Little Rock, Arkansas 72219-8913
Telephone 501-582-7444

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Form Approved OMB No. 2050-0038 Expires 9-30-94

Please print or type. (Form designed for use on 4 1/2 (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		Manifest Document No. 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 00		1. Generator's US EPA ID No.		2. Weight		3. Material - Is this material listed in the table required by Federal law?	
3. Generator's Name and Mailing Address ASTRO PYROTECHICS 2298 W. STONEHURST KIALTO CA 92377		4. Generator's Phone 1 970 1877-6389 (DAN HYMAN)		5. State of Origin		6. State of Destination		7. State of Receipt	
8. Transporter 1 Company Name ENVIRONMENTAL DYNAMICS, INC.		9. Transporter 1 US EPA ID Number		10. Transporter 1 Phone		11. State of Origin		12. State of Destination	
13. Designated Facility Name and Site Address ENSCO AMERICAN ROAD ELIZABETH, NJ 07208		14. Designated Facility US EPA ID Number		15. Designated Facility Phone		16. State of Origin		17. State of Destination	
18. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)		19. No.		20. Type		21. Total Quantity		22. UN ID No.	
a. BQ WASTE OXIDIZING SUBSTANCES, LIQUID H.O.S. (POTASSIUM NITRATE and POTASSIUM PERCHLORATE) 5.1 UN3139 PGII (DQ01)		b.		c.		d.		e.	
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STATE OF ARKANSAS
Department of Pollution Control and Ecology
P. O. Box 8913 Little Rock, Arkansas 72219-8913
Telephone 501-582-7444

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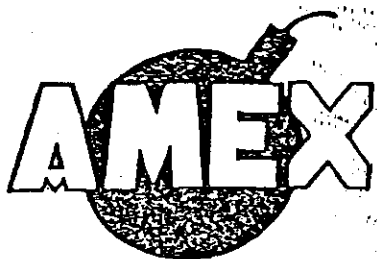
Form Approved OMB No. 2050-0038 Expires 8-30-82

Please print or type. (Form designed for use on size 112-pitch typewriters)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. 111-694322		2. Page 1 Identification in this manifest is not required by Federal law.	
3. Generator's Name and Mailing Address ASTRO PYROTECHNICS 2298 W. STOKENHURST RIALTO CA 92377		A. State Manifest Document Number AR-577709		B. State Generator's ID	
4. Generator's Phone (909) 932-6382 (LAW OFFICE)		C. State Transporter's ID PC - - - - H - - -		D. Transporter's Phone 310-952-2812	
5. Transporter 1 Company Name ENVIRONMENTAL DYNAMICS, INC.		E. State Transporter's ID PC - - - - H - - -		F. Transporter's Phone	
7. Transporter 2 Company Name		G. State Facility's ID		H. Facility's Phone	
9. Designated Facility Name and Site Address ENSCO AMERICAN ROAD YLDORADO, AR 71730		I. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) RQ WASTE OXIDIZING SUBSTANCES, LIQUID N.O.S. (POTASSIUM NITRATE and POTASSIUM PERCHLORATE) 5.1 UN3130 PC11 (D001)		J. Handling Codes for Wastes Listed Above CA:491	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		K. Emergency Response Information		L. Waste No.	
13. Additional Descriptors for Materials Listed Above 111-694322 2 x 30 gal		14. Special Handling Instructions and Additional Information WEAR GLOVES AND GOGGLES; E R PH #800-888-0702 DISPOSAL BILLING: ENVIRONMENTAL DYNAMICS INC.		15. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations and Arkansas state regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.	
17. Transporter 1 Acknowledgment of Receipt of Manifest Printed/Typed Name Leo Autote		Signature <i>Leo Autote</i>		Month Day Year 9/1/81	
18. Transporter 2 Acknowledgment of Receipt of Manifest Printed/Typed Name		Signature		Month Day Year	
19. Discrepancy Indication Space					
20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 18. Printed/Typed Name		Signature		Month Day Year	

SBC HMD

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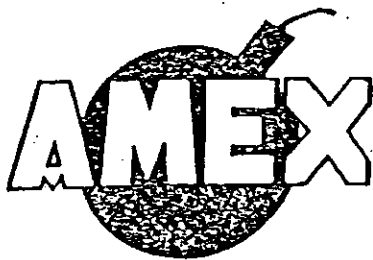
AMEX PRODUCTS, INC.

2298 W. STONEHURST • RIALTO, CALIFORNIA 92376

PHONE: (714) 823-1395

FACILITIES - BRIEF DESCRIPTION OF BUILDINGS

- I. Buildings - At Plant (Area A) owned by Amex (83,200 square feet of fenced property).
 - A. Offices and Engineering are housed in stucco building with wood floor. Total floor space is 1577 square feet.
 - B. The Laboratory is constructed of plywood and reinforced concrete with bullet-proof glass windows looking into the test cells. The laboratory (224 square feet) has two test cells, one of which houses hydraulic presses and the other a burning and mixing area. It is surrounded by earthworks approximately ten feet high.
 - C. Explosives Assembly and Mechanical Assembly buildings are metal buildings on cement slabs, 400 square feet each. Machine Shop is metal building on cement slab, 400 square feet.
 - D. The Chaff Building is a metal building on a concrete slab, 400 square feet.
 - E. The Wood and Plastics shop is a metal building on concrete slab, 400 square feet.
 - F. The Drying Building is a heavy wood frame building on a concrete slab of 192 square feet. It is surrounded by 10 foot revetments.
 - G. The Electronic Laboratory and Electrical shop is a metal building with wood floor laid over



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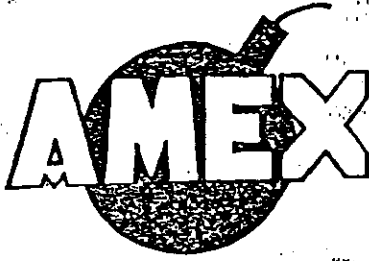
a concrete slab of 220 square feet.

- H. Welding shop is a metal building on concrete slab.
- I. The vehicle maintenance and storage building is a metal building on a concrete slab of 1056 square feet.
- J. The explosives storage area at the immediate plant has a small cap magazine and wood storage building for explosives that are being processed. It is surrounded by ten foot revetments.

Proposed construction at Area "A" in the near future includes an underwater research pool (1900 square feet) and an engineering building of 576 square feet which will triple our Research and Development capability.

II. Buildings - At Bunker (Area B) leased property with long term lease (10 years).

- A. West of the bunker are two powder mixing and storage buildings (236 square feet) and a shed (100 square feet) for constructing test flares and other pyrotechnic devices. Powder is mixed at this location.



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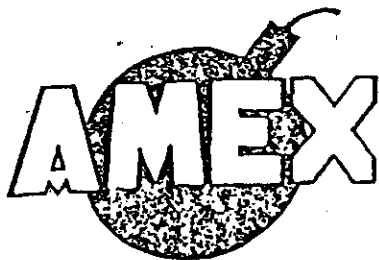
PHONE: (714) 823-1395

B. The Bunker is 25' X 90' (2250 square feet).

C. Total leased space is 630,000 square feet.

III. Area C - TEST RANGE:

The test range is located on 15 acres northwest of the plant, abutting the Old Rialto Ammunition Depot on the North. (The plant abuts the Depot on the South). The range includes a cleared area of 300' x 1000' with a metal building on wooden runners (100 square feet) containing desk, test equipment, phone, radio communications equipment and work bench. Test range also contains a permanent test stand.



AMEX PRODUCTS, INC.

2298 W. STONEHURST • RIALTO, CALIFORNIA 92376

PHONE: (714) 823-1395

MACHINERY AND EQUIPMENT

Machine Shop (Precision Equipment)

- Lathes
- Milling Machine
- Press
- Band Saw
- Drill Presses
- Grinding Wheels
- Necessary associated benches and tools

Welding Shop

- Meliarc Welder
- Electric Arc Welder
- Plastic Welding Equipment
- Oxy-acetylene Equipment
- Chain falls
- Grinding Wheel
- Welding Tables
- Associated jigs, tools, etc.

Explosive Assembly

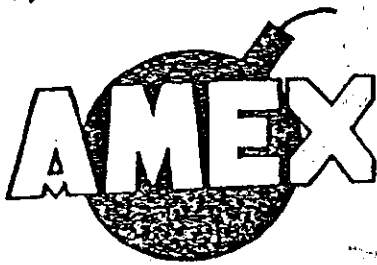
- Hydraulic Presses
- Arbor Press
- Explosion Shields
- Scales
- Associated work benches and non-sparking tools

Chaff Shop

- Chaff Pressing Equipment
- Work benches

Wood and Plastic Shop

- Radial Saw
- Bench Saw
- Circular Saws



AMEX PRODUCTS, INC.

2298 W. STONEHURST • RIALTO, CALIFORNIA 92376

PHONE: (714) 823-1395

Wood and Plastic Shop (continued)

- Joiner Plane
- Lathe
- Drill Press
- Sanding Machine
- Grinding Wheel
- Jig Saw
- Associated electrical and manual tools and woodworking benches

Mechanical Assembly

- Work Benches
- Drill Press
- Soldering Equipment
- Heat Sealing Equipment
- Heat Shrinking Equipment
- Electrical and manual hand tools

Electronic Laboratory

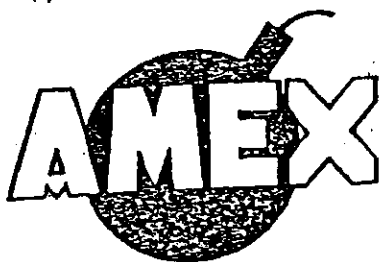
- Voltmeters
- Power Supply
- Oscilloscopes
- IR Equipment
- Frequency Meters
- Recording Equipment

Chemical Laboratory

- Scales
- Mixing equipment
- Measuring and Screening Equipment
- Hydraulic Presses up to 122 tons
- IR Measuring Equipment
- Underwater Test Tank

Drying Building

- Trays, etc. for drying ingredients and mixtures
- Humidity and Temperature Control Equipment



AMEX PRODUCTS, INC.

2298 W. STONEHURST • RIALTO, CALIFORNIA 92376

PHONE: (714) 823-1395

Administrative/Engineering Offices

Usual Office Equipment
Reproduction Equipment including blueprint capability
Drafting Room and Equipment
IBM Microviewer
Citizen Band Communications System for communication
with vehicles, range and boat
Hewlett-Packard Computer

Vehicles

Instrumentation Van - Radar, frequency analysis equipment, IR measuring equipment, Communications equipment, Photographic equipment, close circuit TV camera and receiver.
One leased truck for pick-up and delivery
Two Explosives Delivery Trucks-two-way radio equipped.
One Station wagon for administrative trips and small explosives delivery-two-way radio equipped.
One 300 gal. Fire Engine
One fire fighting trailer
Emergency generator trailer

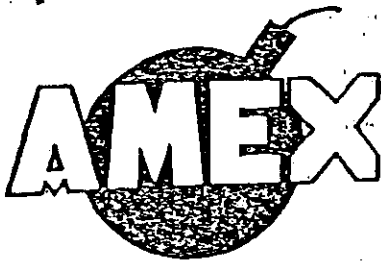
Test Boat

A 40' 16 ton ocean-going boat under long-term charter. The boat is equipped for launching of mortars and rockets and shallow water diving. The cruising range is 800-1000 nautical miles. Equipped with a galley and head, the boat has permanent accommodations for 3 persons and safety and lifesaving equipment for 34 persons. The following equipment is also permanently on board:

Electrical winches
Radio direction finder
Ship-to-Shore radio
Citizens Band radio
Recording fathometer
Autopilot
Navigation equipment

Test Area (15 acres)

Building equipped for range control



AMEX PRODUCTS, INC.

2298 W. STONEHURST • RIALTO, CALIFORNIA 92376

PHONE: (714) 823-1395

Miscellaneous Equipment

- Surveying Equipment
- Gasoline Storage (100 gals.) and Pump
- Underwater camera and miscellaneous still cameras
- Portable communications equipment
- 16 mm. and 8 mm. movie cameras and analyst projector.
- Film developing and printing equipment

Note:

All production buildings equipped with electric power (110/220).

All buildings equipped with running water and compressed air.

All buildings equipped with firefighting equipment.



2298 W. STONEHURST • RIALTO, CALIF. 92376

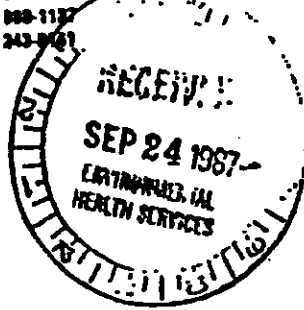
AMEX PRODUCTS LIST

	<u>SPEC. NO.</u>	<u>PART NO.</u>
I. HAND-HELD SIGNALLING DEVICES		
1. Emergency Signal Flare Kit	212	212
II. UNDERWATER PRODUCTS		
2. Underwater Illumination Flare	211-1	211-1
3. Underwater Flare Ignition Handle	211-11	211-11
4. Underwater Flare Parabolic Reflector	211-17	211-17
5. Underwater Explosive Signalling Devices	EXS	EXS
III. 3" MORTAR SYSTEM		
6. 3" Mortar Round-Chaff Dispensing	111	111
7. 3" Mortar Round-Parachute Suspended Infrared Flare	339-2	339-2
8. 3" Mortar Round-Comet Burn Infrared Flare	233	233
9. 3" Mortar Round-Burst Pellet Infrared Flare	339-1	339-1
10. 3" Mortar Round-Parachute Suspended Illumination Flare	209-1	209-1
11. 3" Mortar Round-Parachute Suspended Red Signal Flare	209-2	209-2
12. 3" Mortar Launcher-Single Tube	369-1	369-1
13. Single-Tube Launcher Firing Control Box	369-2	369-2
14. 3" Mortar Launcher-10 Tube	120-4	120-4
15. 10 Tube Launcher Firing Control Box	362-4	362-4

ENVIRONMENTAL HEALTH SERVICES

385 North Arrowhead Avenue • San Bernardino, CA 92415-0180 • (714) 387-4800
320 East "D" Street • Ontario, CA 91764 • (714) 868-1157
15506 Chilo Drive • Victorville, CA 92382 • (619) 243-8481

ARE REPLY TO ADDRESS CHECKED



COUNTY OF SAN BERNARDINO
ENVIRONMENTAL
PUBLIC WORKS AGENCY

RICHARD L. ROBERTS, R.S., M.P.H.
Director

Also serving the cities of:

Adelanto	Fontana
Barstow	Glendale
Big Bear Lake	San Bernardino
Chico	Upland
Covina	Victorville
Fountain	
Grand Terrace	
Laurel	
Montclair	

August 7, 1987

HAZARDOUS WASTE GENERATOR NORTH RIALTO SURVEY

Business Name: Trojan Fireworks Co. Contact Person: Stuart Carlton

Address: 2236 W. Stonchurst, Rialto, CA. 92376 Phone: 822-0100

Mailing Address: SAME

1) List all Hazardous Materials on site include any explosives*

Explosives (mainly Class C Common fireworks, Class B Special fireworks, and wastes from the manufacture of these.)

2) List all Hazardous Wastes on site include off spec or unusable product*

As above, production wastes such as floor-sweeping; off-spec product; returns from displays and July 4 sales; and damaged or faulty import material which can not be returned.

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- 3) How and where are the hazardous materials and wastes stored?
(Please draw a map of the facility indicating structures and materials/wastes stored in them. Also indicate how stored: boxes, drums, etc... Please indicate any bunkers or pits located on site).
See attached.
- 4) Does your facility manufacture fireworks? Yes X No
- 5) Does your facility store fireworks in bulk? Yes No See attached
- 6) Has your facility had problems disposing of off-spec or unusable fireworks? Yes X No
If yes, please describe: KPA prohibits burying: SOAQM prohibits burning: DOT has no classification for hauling. To date we have been allowed only to store it.
- 7) Have you had any past incidents involving your materials/wastes? Yes X No
If yes, please describe below (list dates and any injuries)
Explosion of live waste storage building on July 28, 1987, in which there was one fatality.
- 8) Have you developed a "business plan" for emergencies and submitted it to our Department or the Fire Department? (Regardless of the answer, if you have one, please attach it) Yes No X See Attached
- 9) List past owners of property, if known:
American Explosives Company during some period prior to 1973 when Mr. Peters of the Trojan Fireworks Co. acquired it.

Please return this for to:

DEBS
385 NORTH ARROWHEAD
SAN BERNARDINO, CA 92415
ATTN: STEVE VAN STOCKUM

*Attach an additional sheet if more room is needed

RETURN TO US NO LATER THAN AUGUST 21, 1987

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Attachment to Hazardous Waste Generator
North Rialto Survey

- 3) Prior to the explosion of July 26, 1987, live waste was stored in cardboard boxes and drums, and paper bags, in a building surrounded by an earthen embankment on the referenced site. Wastes are presently being stored in Bunker E-1 of the former U.S. Navy bunkers located on the property of the Schulz Trust and leased from the Trust. Cardboard and paper containers continue to be used.
- 5) No finished fireworks are, or have been, stored at the referenced site. "Safe and Sane" Class C Common Fireworks are transported to the company warehouse in Santa Fe Springs upon completion. Class B Special Fireworks manufactured at the site or purchased from outside suppliers are stored in Bunkers B-1, B-2 and E-1, now leased from private owners.
- 8) We have not filed a formal Business Plan, but we have worked closely with the Rialto Fire Department in connection with structures and contents, and the probable violence, if any, of their burning in case of fires.

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EXHIBIT 3

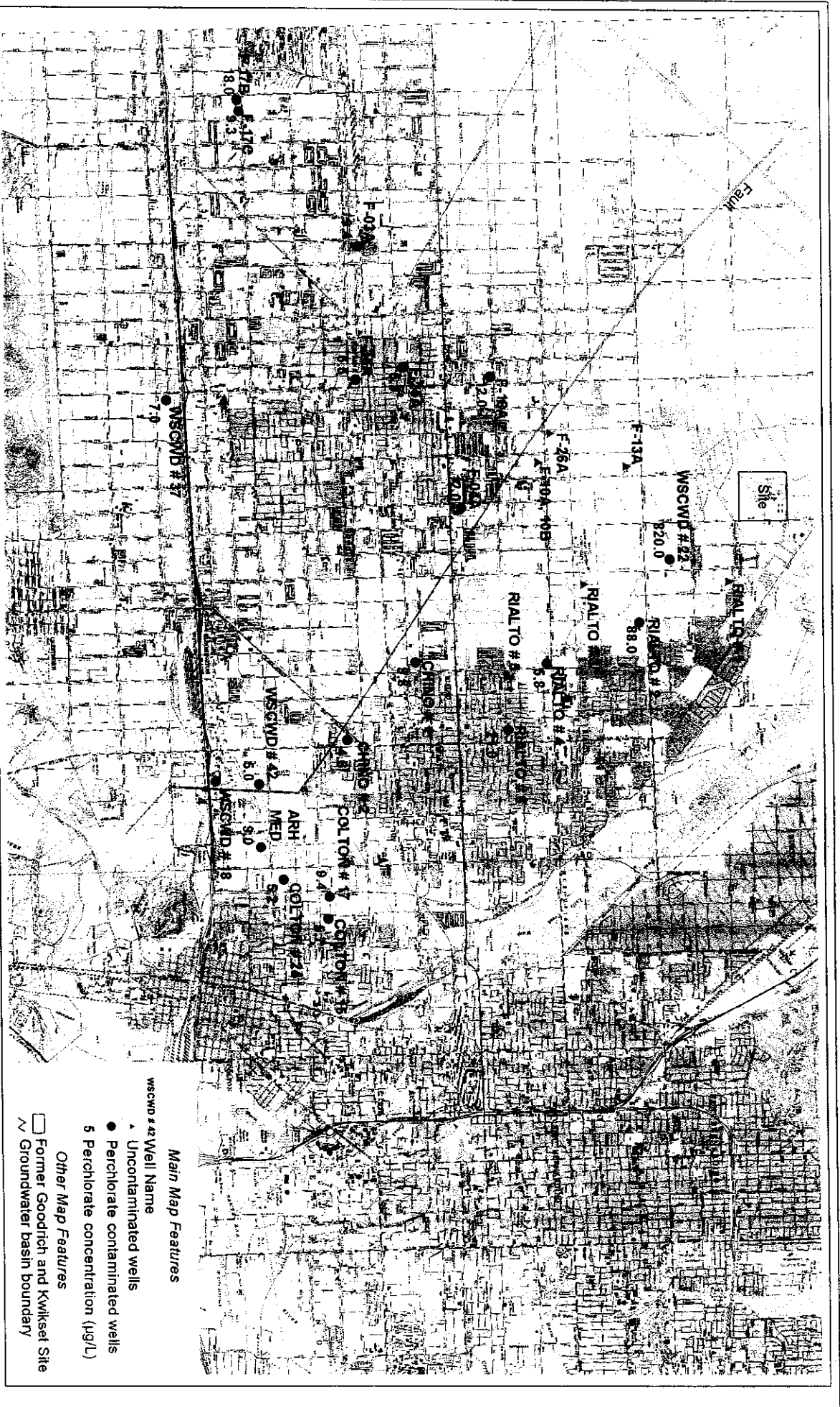


FIGURE 2

WELL LOCATIONS AND PERCHLORATE CONCENTRATIONS

EXHIBIT 4

RECORDING REQUESTED BY

Tasker Industries

AND WHEN RECORDED MAIL TO

Name Tasker Industries
 Street Address 4561 Colorado Boulevard
 City & State Los Angeles, California
 90039

388

RECORDED AT REQUEST

BOOK 7325 PAGE 842
 '69 OCT 23 P.M. 1:11

OFFICIAL RECORDS
 SAN BERNARDINO CO. CALIF.

Ted R. Carpenter
 COUNTY RECORDER

MAIL TAX STATEMENTS TO

Name Tasker Industries
 Street Address 4561 Colorado Boulevard
 City & State Los Angeles, California
 90039
 Attention: P. R. Gustlin

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SAN BERNARDINO COUNTY

0 5 4 4 2 4

CALIFORNIA

★
 P.B.
 10876

COUNTY

DOCUMENTARY TAX

16.50

AFFIX \$
 I.R.S. ABOVE

Corporation Grant Deed

TO 406 CA (6-67)

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

AMEX PRODUCTS, INC., who acquired title as American Explosives Co., Inc.,
 a corporation organized under the laws of the state of California
 hereby GRANTS to

TASKER INDUSTRIES, a California corporation

the following described real property in the

County of San Bernardino

, State of California:

The south 660 feet of the Northwest 1/4 of Section 28, Township 1 North, Range 5 West, San Bernardino Base and Meridian, according to Government Survey, county of San Bernardino, state of California described as follows: Commencing at a point in the South line of said Northwest 1/4, distant North 89° 51' West, 1319.36 feet thereon from the center of said Section 28; thence along a line that bears North 0° 32' West, to a point that bears South 0° 32' East, 150.32 feet from the North line of said South 660 feet; thence South 79° 37' West, to a point in the West line of said Section 28 for the true point of beginning; thence North 0° 37' 45" West, 390 feet to the Northwest corner of the South 660 feet of the Northwest 1/4 of said Section 28; thence South 89° 51' East, 150 feet along said North line; thence South 0° 37' 45" East, to a point in a line that bears North 79° 37' East from the true point of beginning; thence South 79° 37' West to a true point of beginning.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its _____ President and _____ Secretary
 thereunto duly authorized.

Dated: August 29, 1969

AMEX PRODUCTS, INC.

By

G. H. Schillreiff, Sr.

President

By

Glenn A. Schroeder

Secretary

STATE OF CALIFORNIA

COUNTY OF Los Angeles

} SS.

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared
George H. Schillreiff, Sr. known

to me to be the _____ President, and
Glenn A. Schroeder known to me to be

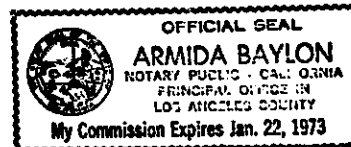
Secretary of the Corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature

Armida Baylon

Name (Typed or Printed)



(This area for official notarial seal)

Title Order No.

Escrow or Loan No.

MAIL TAX STATEMENTS AS DIRECTED ABOVE

EXHIBIT 5



2298 W. STONEHURST • RIALTO, CALIF. 92376

AMEX PRODUCTS LIST

	<u>SPEC. NO.</u>	<u>PART NO.</u>
IV. <u>CHAFF DISPERSING ROCKET HEADS</u>		
16. 105 mm Chaff Rocket Head (Italy)	349	349
17. 103 mm Chaff Rocket Head (Bofors)		132
18. 2.75" Chaff Rocket Head	332	332-1
19. 2.75" Sequential Burst	005-16	005-16
20. Chaff Loads for 63 mm Rocket (Italy)	131	347
21. 5" Chaff Rocket Head	123	331-1
V. <u>5" MORTAR SYSTEM</u>		
22. 5" Mortar Round-Chaff Dispersing	336	336
23. 5" Mortar Launcher-Ten Tube	124	124
VI. <u>MISCELLANEOUS MILITARY</u>		
24. ALE-29 Burst Flare (IR)	128	128-3
25. ALE-29 Burn Flare (IR)	128	128-2
26. 5" Gun Simulator	354	354
VII. <u>MISCELLANEOUS COMMERCIAL</u>		
27. 3" Illumination Flare-Studio	388	388
28. Booby Trap Illumination Flare	BTF	BTF
29. Hand-Held Parade Flare	PF	PF

AMEX Products/Whittaker

AMEX PRODUCT	CONTEMPORARY TRADE FORMULA	PERCHLORATE (Percent by Weight)
Emergency Signal Flare Kit Red Signal Flares	Ellern, Formulas 60 & 61, p 362	K Perchlorate 15% & 25%
Green Signal Flares	Ellern, Formula 54, p. 361	K Perchlorate 16%
3-inch Mortar Round - Chaff	MMR, p. 1 Mortar 81mm	K Perchlorate 12.30%
3-inch Mortar Round - Parachute Suspended Infrared Flare	MMR, p. 1 Mortar 81mm	K Perchlorate 12.30%
3-inch Mortar Round - Comet Burn Infrared Flare	MMR, p. 1 Mortar 81mm	K Perchlorate 12.30%
3-inch Mortar Round - Burst Pellet Infrared Flare	MMR, p. 1 Mortar 81mm	K Perchlorate 12.30%
3-inch Mortar Round - Parachute Suspended Illumination Flare	MMR, p. 1 Mortar 81mm	K Perchlorate 12.30%
3-inch Mortar Round - Parachute Suspended Red Signal Flare	MMR, p. 1 Mortar 81mm	K Perchlorate 12.30%
105mm Chaff Rocket Head (Italy)	MMR, p. 1 Mortar 81mm	K Perchlorate 12.30%
103mm Chaff Rocket Head (Bofors)	MMR, p. 1 Mortar 81mm	K Perchlorate 12.30%
5-inch gun simulator	Ellern, Formula 43, p. 360	K Perchlorate 35%
Booby Trap Illumination Flare	Ellern, Formula 49, p. 359	K Perchlorate 73%
Hand-held Parade Flare	Ellern, Formula 96, p. 367	K Perchlorate 52%

EXHIBIT 6

[AutoTrack Home](#) [Feedback](#) [Results Manager](#) [New Search](#) [Sign Off](#) [Help/Support](#) [Permissible Use](#) [Reference: GRICH7103](#)

Detail

Corporate Records



[Order a Report based on this Detail](#) | [Previous Screen](#)

CALIFORNIA SECRETARY OF STATE			
Name:	TASKER INDUSTRIES		
Type:	ARTICLES OF INCORPORATION		
Status:	INACTIVE - MERGED OUT		
Date Incorporated:	10/24/1956	Foreign State of Incorporation:	CALIFORNIA
Corporation Number:	C0328628	FEI Number:	

Corporation Officers:

Corporation Addresses:

Additional Corporation Information:	
Date:	09/17/1957
Type:	CERTIFICATE OF AMENDMENT
<hr/>	
Date:	03/20/1959
Type:	CERTIFICATE OF AMENDMENT
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Date:	11/22/1961
Type:	CERTIFICATE OF AMENDMENT
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Date:	02/05/1964
Type:	CERTIFICATE OF AMENDMENT
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Date:	12/22/1966
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Date:	12/23/1968
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Date:	06/12/1969
Type:	CERTIFICATE OF AMENDMENT
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Date:	08/29/1969
Type:	CERTIFICATE OF AMENDMENT
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Date: 06/04/1970
Type: CERTIFICATE OF AMENDMENT

Date: 10/28/1972
Type: CERTIFICATE OF AMENDMENT

Date: 02/20/1970
Type: MERGER
MERGED IN 60039722 ELECTRONIC RESOURCES, INC.

Date: 10/29/1972
Type: MERGER
OUTGOING-MERGED INTO 60039723 WHITTAKER CORPORATION

Date: 10/29/1972
Type: MERGER
OUTGOING-MERGED INTO C0219185 60039723 WHITTAKER CORPORATION

Date: 02/20/1970
Type: MERGER
MERGED IN C0559441 60039722 ELECTRONIC RESOURCES, INC.

EXHIBIT 7

Union Bank

CENTURY CITY OFFICE
ESCROW DEPARTMENT
ESCROW INSTRUCTIONS

ESCROW No. 206-480

DATE APRIL 24, 1974

TO UNION BANK

The previous instructions in the above numbered escrow are hereby modified — supplemented and/or amended in the following particulars only:

The undersigned WHITTAKER CORPORATION hands you herewith a Grant Deed to ROBERT LEONARD KINNARD, a married man, covering property described as:

The east 150 feet, measured along the northerly line thereof, of that portion of the south 660 feet of the northwest $\frac{1}{4}$ of Section 28, Township 1 North, Range 5 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to the official plat thereof, described as follows:

Commencing at a point in the south line of said northwest $\frac{1}{4}$, distant North $89^{\circ} 51'$ West 1319.36 feet thereon from the center of said Section 28; thence along a line that bears North $0^{\circ} 32'$ West to a point that bears South $0^{\circ} 32'$ East 150.32 feet from the North line of said South 660 feet; thence South $79^{\circ} 37'$ West to a point in the west line of said Section 28 for the true point of beginning; thence North $0^{\circ} 37' 45''$ West 390 feet to the northwest corner of the South 660 feet of the northwest $\frac{1}{4}$ of said section 28; thence South $89^{\circ} 51'$ East 300 feet along said north line; thence South $0^{\circ} 37' 45''$ East to a point in a line that bears North $79^{\circ} 37'$ East from the true point of beginning; thence South $79^{\circ} 37'$ West to the true point of beginning.

You are authorized to use and record said Deed without further consideration to the Seller when Title Insurance and Trust Company can re-issue their Policy of Title Insurance No. 658439 showing a corrected legal description to include the property described above, said property being subject only to all 1974-1975 general and special taxes and items 1 thru 3 as shown on that certain Preliminary Report of Title #675533 dated February 11, 1974. Instruct the title company to affix \$-0- Documentary Transfer Tax to the Deed.

The parties will hand you sufficient funds in order to enable for you to comply with these instructions and in accordance with the original Escrow Instructions.
END OF INSTRUCTIONS.

EACH OF THE UNDERSIGNED STATES HE HAS READ THE FOREGOING INSTRUCTIONS AND UNDERSTANDS AND AGREES TO THEM.

WHITTAKER CORPORATION,
a corporation

Robert Leonard Kinnard

By: _____

By: _____

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EXHIBIT 8

RECORDING REQUESTED BY

EX 8555 PAGE 170

RECORDED AT THE REQUEST OF
TITLE INSURANCE COMPANY

AND WHEN RECORDED MAIL TO

118

RECORDED IN OFFICIAL RECORDS

NOV 12 1974 AT 8:00 A.M.

V. DEANIS WARDLE
CLERK-RECORDER
SAN BERNARDINO COUNTY, CALIF.

Name Thomas O. Peters
Street Address C/O Trojan Fireworks
City P. O. Box 441
State Norwalk, California 90650
Zip

3.00
8

MAIL TAX STATEMENTS TO

Name Same as above...
Street Address
City
State
Zip

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$13.75

X Computed on full value of property conveyed
Or computed on full value less liens and encum-
brances remaining at time of sale

BANK OF AMERICA

TRANSFER TAX \$

GRANT DEED

(Exempt No. 371-3501)

By this instrument dated September 12, 1974 for a valuable consideration,

GLORIA BLAIR

hereby GRANTS TO THOMAS O. PETERS, a married man

the following described Real Property in the State of California, County of San Bernardino

City of

That portion of the south 660 feet of the northwest one-quarter of Section 28, Township 1 North, Range 5 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to the Official Plat thereof, described as follows:

Commencing at the northwest corner of the south 660 feet of said northwest one-quarter of Section 28; thence east along the north line of said south 660 feet, 300 feet to the northeast corner of property conveyed to William L. Lyon and Wife, by Deed recorded May 12, 1955 in Book 3643, Page 154 Official Records, being the true point of beginning; thence continuing east along the north line of said south 660 feet to the northwest corner of the property conveyed to James G. Jeffreys and Wife by Deed recorded December 31, 1954 in Book 3537, Page 326 Official Records; thence south along the west line of said Jeffreys property to the southwest corner thereof; thence south 79° 37' west to the southeast corner of said William L. Lyon property; thence north along the east line of said Lyon property to the point of beginning. RESERVING THEREFROM an easement cover, along and through the southerly 30 feet thereof for road purposes and the installation and maintenance of public utilities including pipe lines and pole lines, and the right to dedicate same for public use.

STATE OF *Utah*
COUNTY OF *Wasatch*

On *Sept. 25*, 1974, before me, the undersigned, a Notary Public in and for said County and State, personally appeared *Gloria Blair*

known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Notary's Signature *Gloria Moulton*

MAIL TAX STATEMENTS AS DIRECTED ABOVE

AND WHEN RECORDED MAIL TO

NORMAN S. BERLINER
1230 West Second Street
Los Angeles, California
90026

520

3.00

RECORDING OFFICIAL RECORDS
SAN BERNARDINO COUNTY, CAL.
V. DENNIS WARDLE
CLERK-RECORDER

1974 SEP 16 PM 12 47

SPACE ABOVE THIS LINE FOR RECORDER'S USE

THOMAS OWEN PETERS
c/o Trojan Fireworks Co.
P.O. Box 441
Norwalk, California

DOCUMENTARY TRANSFER TAX \$	16.50
COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBRANCES REMAINING AT TIME OF SALE	
<i>[Signature]</i>	
Signed by Producer or Agent determining tax.	File Name

Grant Deed

FD 406 (CA (1-70))

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

ROBERT LEONARD KENNARD, a married man,
hereby GRANT(S) to THOMAS OWEN PETERS, a married man,

the following described real property in the
County of San Bernardino, State of California:

That portion of the south 660 feet of the northwest one-quarter of
Section 28, Township 1 North, Range 5 West, San Bernardino Meridian,
in the County of San Bernardino, State of California, according to
Government Survey, described as follows:

Commencing at a point in the south line of said northwest one-quarter,
distant north 89° 51' west, 1319.36 feet thereon from the center of
said Section 28; thence along a line that bears north 0° 32' west, to
a point that bears south 0° 32' east, 150.32 feet from the north line
of said south 660 feet; thence south 79° 37' west to a point in the
west line of said Section 28 for the true point of beginning; thence
north 0° 37' 45" west, 390 feet to the northwest corner of the south
660 feet of the northwest one-quarter of said Section 28; thence
south 89° 51' east 150 feet along said north line; thence south 0° 37'
45" east to a point in a line that bears north 79° 37' east from the
true point of beginning; thence south 79° 37' west to the true point
of beginning.

Dated August 6, 1974.

[Signature]
ROBERT LEONARD KENNARD

STATE OF CALIFORNIA
COUNTY OF Orange

On August 13, 1974 before me, the under-
signed, a Notary Public in and for said State, personally appeared
Robert Leonard Kennard and
Lydia Kennard

[Signature]
THE WIFE OF ROBERT LEONARD
KENNARD

I know to me
to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged that they executed the same.
WITNESS my hand and official seal.

Signature

Lorraine V. Diaz

Name (Typed or Printed)



Title Order No.

Factor or Loan No.

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Property Information for Parcel 1133-071-05-0000

Parcel	Parcel Status	Property ID	Tax Status	Use Code	Size	Land Type	District	Responsible Group	Responsible Unit
1133071050000	<u>A</u>		<u>1</u>	LT INDUST	<u>04</u>	<u>01</u>	FONTANA	<u>D</u>	<u>COM</u>

Current Owners

Name	R/I	% Int	Type	Acquisition Date	Document Date	Inactive Date	Document N
<i>Protected per CA. Govt. Code Sect. 6254.21</i>	<u>TR</u>	<u>0</u>	<u>B</u>	01/01/1975	08/01/1996	NONE	<u>962791400000</u>

Legal Description

PTN S 660 FT NW 1/4 SEC 28 TP 1N R 5W COM AT PT IN S LI SD NW 1/4 DIST N 89 DEG 51 MIN
 FT THEREON FROM CEN SD SEC 28 TH ALG A LI BEARING N 0 DEG 32 MIN W TO A PT THAT BEARS
 MIN E 150.32 FT FROM N LI SD S 660 FT TH S 79 DEG 37 MIN W TO A PT IN W LI SD SEC 28
 BEG TH N 0 DEG 37 MIN 45 SECONDS W 390 FT TO NW COR S 660 FT NW 1/4 SD SEC TH S 89 DE
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 TRUE PT BEG TH S 79 DEG 37 MIN W TO TRUE PT BEG 1.21 AC M/L

No Legal Reason for Change was found

No Active HOX Exemptions Found as of 01/27/2004

Property Information For Parcel 1133-071-05-0000

Type of Property: UNKNOWN

Legal Description

Tract Number	Lot Number	Block/Unit
	00000	000
PTN S 660 FT NW 1/4 SEC 28 TP 1N R 5W COM AT PT IN S LI SD NW 1/4 DIST N 89 DEG 51 MIN W 1319.36 FT THEREON FROM CEN SD SEC 28 TH ALG A LI BEARING N 0 DEG 32 MIN W TO A PT THAT BEARS S 0 DEG 32 MIN E 150.32 FT FROM N LI SD S 660 FT TH S 79 DEG 37 MIN W TO A PT IN W LI SD SEC 28 FOR TRUE PT BEG TH N 0 DEG 37 MIN 45 SECONDS W 390 FT TO NW COR S 660 FT NW 1/4 SD SEC TH S 89 DEG 51 MIN E 150 FT ALG SD N LI TH S 0 DEG 37 MIN 45 SECONDS E TO PT IN LI THAT BEARS N 79 DEG 37 MIN E FROM TRUE PT BEG TH S 79 DEG 37 MIN W TO TRUE PT BEG 1.21 AC M/L		

Address Information

Situs Address	Protected per CA. Govt. Code Sect. 6254.21
Billing Address	Protected per CA. Govt. Code Sect. 6254.21
As Of	1996/09/27

Present Owner Information

Name	% Own	Relationship	Document No.	Recording Date	Acquire Date	Roll Year
PETERS, THOMAS O TR		TRUST REVOCABLE	9627914000000	1996/08/01	1975/01/01	1975

[Property Tax Search](#)
[Property Data](#)
[Owner History](#)
[Current Taxes](#)
[Defaulted Bills](#)
[Other \(Past\) Bills](#)

EXHIBIT 9

Owner Name History for Parcel 1133-071-05-0000

Name	Owner Status	% Own	Relationship	Document No.	Recording Date	Acquire Date	Roll Year
PETERS, THOMAS O TR	Present Owner		TRUST REVOCABLE	9627914000000	1996/08/01	1975/01/01	1975
PETERS, THOMAS O TR	Past Owner	100	TRUST REVOCABLE	9535046700000	1995/10/10	1975/01/01	1996
PETERS, THOMAS O	Past Owner		SOLE OWNER	0000000000000			1975

[Property Tax Search](#) [Property Data](#) [Owner History](#) [Current Taxes](#) [Defaulted Bills](#) [Other \(Past\) Bills](#)

Owner Name History for Parcel 1133-071-06-0000

Name	Owner Status	% Own	Relationship	Document No.	Recording Date	Acquire Date	Roll Year
PETERS, THOMAS O TR	Present Owner		TRUST REVOCABLE	9627914100000	1996/08/01	1974/09/16	1997
PETERS, THOMAS O TR	Past Owner	100	TRUST REVOCABLE	9535046600000	1995/10/10	1974/09/16	1996
PETERS, THOMAS O	Past Owner		SOLE OWNER	0000000000000			1975

[Property Tax Search](#) [Property Data](#) [Owner History](#) [Current Taxes](#) [Defaulted Bills](#) [Other \(Past\) Bills](#)

Property Information For Parcel 1133-071-07-0000

Type of Property: UNKNOWN

Legal Description

Tract Number	Lot Number	Block/Unit
	00000	000
PTN S 660 FT NW 1/4 SEC 28 TP 1N R 5W COM AT NW COR SD S 660 FT TH E ALG N LI SD S 660 FT DIST OF 300 FT TO TRUE PT BEG TH CONT E TO NW COR OF PROPERTY CONVEYED TO JAMES G JEFFERYS AND WIFE BY DEED RECD DEC 31, 1954 BK 3537 PG 326 OFFICIAL RECORDS TH S ALG W LI SD PROPERTY TO SW COR THEREOF TH S 79 DEG 37 MIN W TO PT WHICH IS N 79 DEG 37 MIN E 300 FT FROM W LI SD SEC TH N 330 FT M/L TO TRUE PT BEG 2.62 AC M/L		

Address Information

Situs Address	Protected per CA. Govt. Code Sect. 6254.21
Billing Address	Protected per CA. Govt. Code Sect. 6254.21
As Of	1996/09/27

Present Owner Information

Name	% Own	Relationship	Document No.	Recording Date	Acquire Date	Roll Year
PETERS, THOMAS O TR		TRUST REVOCABLE	9627913900000	1996/08/01	1975/01/01	1975

[Property Tax Search](#)
[Property Data](#)
[Owner History](#)
[Current Taxes](#)
[Defaulted Bills](#)
[Other \(Past\) Bills](#)

EXHIBIT 10

TROJAN FIREWORKS CO. • 13500 EXCELSIOR DRIVE • NORWALK, CALIFORNIA 90650

address mail use P.O. Box 444 • cable address TRO/PIRE • phone (714) 921-4444 • (714) 921-4747

January 9, 1973



City of Rialto
Planning Commission
Mr. Richard E. Downing, Director
150 South Palm Avenue
Rialto, California 92376

Re: APPLICATION FOR CONDITIONAL DEVELOPMENT,
2-1/2 Acres N/E Corner Stonehurst and
Alder Streets, Rialto, California

Gentlemen:

We respectfully submit herewith our application for conditional development of the stated property, now located in the City of Rialto.

It is our intention to re-activate this plant and manufacture only California "safe and sane" commercial fireworks as approved by the State Fire Marshal for retail sale each fourth of July season. Although this facility was formerly licensed and used by American Explosives Company (AMEX) for production of military pyrotechnics, we do not intend to engage in the production of Class A explosives, but limit it to Class C only.

The plot plan submitted herewith indicates the proposed usage of existing structures. Storage, both existing and proposed, will most likely consist of only such raw materials as paper tubes, paper cones, corrugated shipping containers, adhesives, labels, etc. Chemical storage is scheduled for our facilities immediately to the north in the former government bunkers where we operate our display fireworks division, known as Astro Pyrotechnics. As goods are finished in this facility they will be dispatched to our Norwalk warehouses via our own vehicular equipment, for final assembly and packaging.

Any doubts as to the ability of our company to set-up, maintain and operate such a facility can readily be answered. The petitioner, O. D. Peters, president, has over 27 years experience in this field; our vice-president, Mr. B. W. Wells is probably one of the outstanding pyrotechnicians in the world.

Continued

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City of Rialto
Planning Commission

Page -2-
January 9, 1973

(see resume attached), and the plant superintendent, Mr. Gerald Gerth is likewise well-versed in the field, being a graduate chemical engineer from California Institute of Technology.

We look forward to favorable action on our application, and pledge our efforts to making this a production facility that will please the administrators and citizens of Rialto. If further facts or information is needed, please call on us.

Yours very truly,

TROJAN FIREWORKS CO.



O. D. Peters,
President

ODP:dv

Enc.

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EXHIBIT 11

PYRO-SPECTACULARS

September 1, 1988

Mr. Richard L. Roberts, Director
Emergency Management Program
Department of Environmental Health Services
385 North Arrowhead Avenue
San Bernardino, CA 92415-0180

Dear Mr. Roberts:


As you may, or may not know, Astro Pyrotechnics was recently sold to Pyro Spectaculars. As a result of this change we are submitting a new Business Plan covering the Astro Pyrotechnics division.

In addition, I am also submitting a revised Business Plan for Pyro Spectaculars covering some recent changes in management and site facilities.

If you have any questions, or need additional information, please let me know.

Sincerely,

PYRO-SPECTACULARS, INC.


Dean B. Colister
Vice President - Operations

DBC/md

Enc: Astro Pyrotechnics Business Plan
Pyro Spectaculars Business Plan

SBCHMD

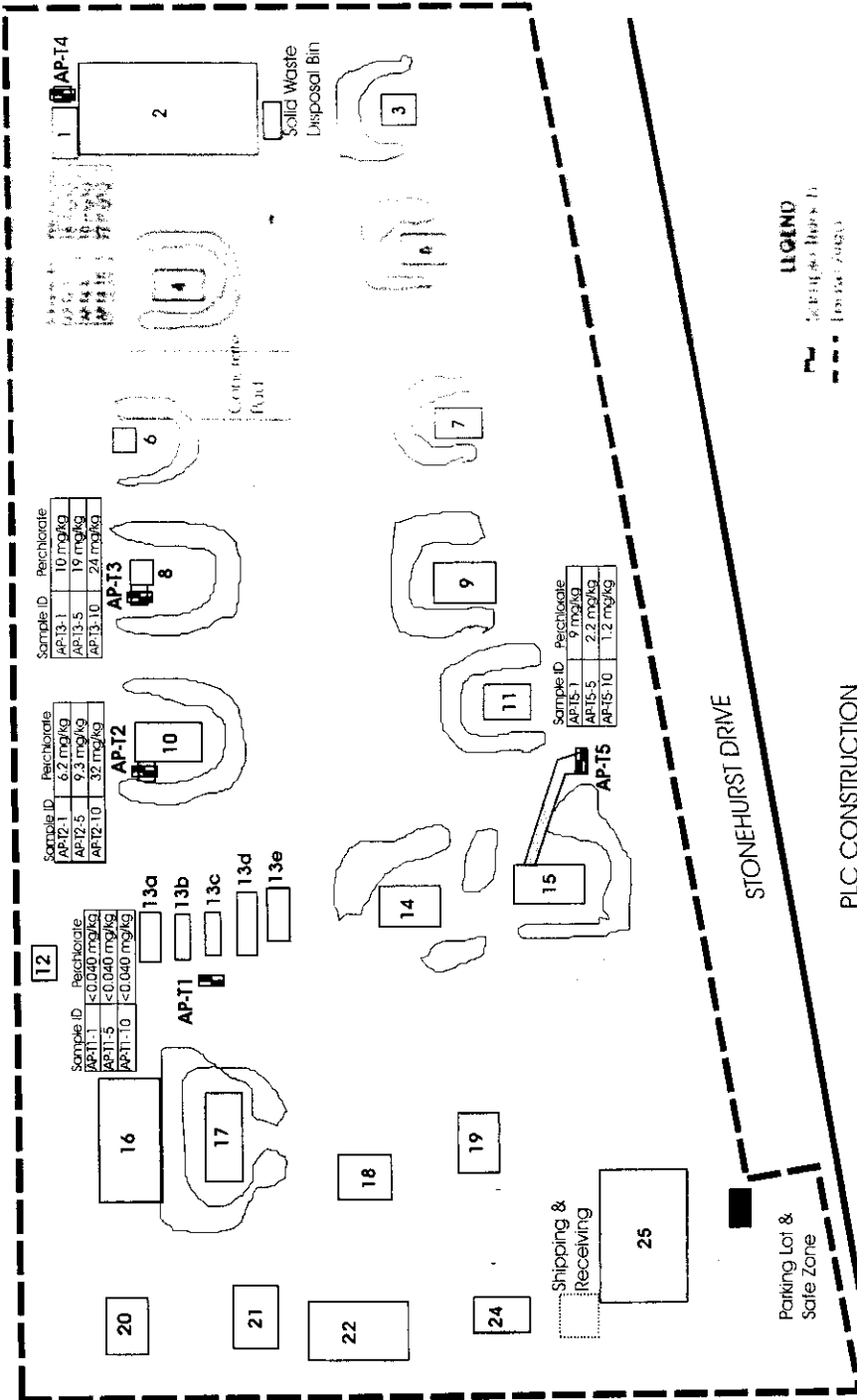
001369

EXHIBIT 12

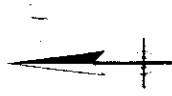
ROBERTSON'S SAND & GRAVEL PLANT

Building Footprints

100'



- LEGEND**
- Building Footprints
 - Stonehurst Drive
 - PLC Construction
 - Parking Lot & Safe Zone
 - Shipping & Receiving
 - AP-T1, AP-T2, AP-T3, AP-T4, AP-T5, AP-T6, AP-T7, AP-T8, AP-T9, AP-T10, AP-T11, AP-T12, AP-T13, AP-T14, AP-T15
 - AP-T1, AP-T2, AP-T3, AP-T4, AP-T5, AP-T6, AP-T7, AP-T8, AP-T9, AP-T10, AP-T11, AP-T12, AP-T13, AP-T14, AP-T15
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SCALE
0 10 20 Feet

ASTRO PYROTECHNICS
Project: 24185.004

KLEINFELDER
1940 Orange Tree Lane
Redlands, CA 92374

SITE PLAN - ASTRO PYROTECHNICS
2298 W. Stonehurst Lane
Rialto, CA 92377

FIGURE
3

EXHIBIT 13



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (909) 782-4130 - FAX (909) 781-6288

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.

March 3, 2003

Mr. James Good
Gresham, Savage, Nolan & Tilden, LLP
6000 North Arrowhead Avenue, Suite 300
San Bernardino, Ca 92401-1148

CONDITIONAL APPROVAL OF WORK PLAN FOR INITIAL PERCHLORATE INVESTIGATION AT ASTRO PYROTECHNICS – 2298 WEST STONEHURST DRIVE, RIALTO, SAN BERNARDINO COUNTY

Dear Mr. Good:

Board staff has reviewed the December 9, 2002 submittal entitled "Work Plan for Initial Perchlorate Investigation" for the Astro Pyrotechnics facility, located at 2298 West Stonehurst Drive, Rialto. The work plan was submitted by your environmental consultant (Kleinfelder), in compliance with the Investigation Order letter that I sent to you on November 6, 2002.

Members of the Inland Empire Perchlorate Regulatory Task Force provided comments on the work plan to us, and those technical comments were considered in preparing this response. Based on our review, I conditionally approve the proposed work plan, as modified by the comments described in this letter.

The Astro Pyrotechnics facility occupies approximately five acres of leased land located in the northeast corner of the intersection of Stonehurst Drive and the extension of Alder Avenue. The site consists of 25 buildings and storage units. The facility manufactures theatrical 1.4G fireworks and pyrotechnic articles for shipment to off-site, licensed professional customers. The facility receives raw materials (including chemicals and paper goods), and assembles various types of fireworks inside small work buildings.

Raw chemicals are stored in bulk in Unit Nos. 6, 12, and 13a through 13e, and laboratory chemicals are stored in Unit No. 11. Various other buildings are used for the manufacture and storage of firework products.

Four of the work buildings (Building Nos. 1, 8, 10, and 15) have concrete "liquid collector pads" situated adjacent to the building exit doors. These concrete collector pads are flat, rectangular areas with a shallow concrete rim, and are used for collecting the wastes that are generated during the fireworks manufacturing process. These wastes include powdered oxidizers (specifically potassium nitrate, potassium

California Environmental Protection Agency



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perchlorate, and other perchlorate salts) that have been washed from the floors of the work buildings and into the concrete pad areas. According to Kleinfelder, the waste liquids and sludge that accumulate on these concrete pads are regularly pumped and scraped from the pads, then placed into plastic DOT-approved drums. The drums are shipped off-site for disposal.

Your work plan proposes that, during this initial phase of perchlorate investigation, Kleinfelder will review additional historical records (consisting of aerial photographs, building permits, property ownership records and other documents). This review will focus on information related to past and current site activities, areas of waste disposal, and other areas where releases of perchlorate might have occurred. The on-site locations for these activities will be identified and correlated with the existing site features. In addition, facility operations, process flow, chemical use, and waste streams at the Astro Pyrotechnics facility will be reviewed to develop additional understanding of the manufacturing processes that may have resulted in, or could result in, releases of chemicals to the soil and groundwater.

Field activities are also proposed in the work plan. Based on their review of information thus far, as well as their interviews and discussions with representatives of Astro Pyrotechnics, and in combination with their recent site reconnaissance, Kleinfelder is proposing an initial soil investigation of specific areas at the Astro Pyrotechnics facility. The proposed fieldwork at the Astro Pyrotechnics site consists of five exploratory trench excavations to collect soil samples for analysis of perchlorate. A backhoe is proposed to be used to excavate trenches at the following five locations:

- One trench in front of the oxidizer storage shed (Unit No. 13c).
- One trench adjacent to each of four liquid collector pads near Building Nos. 1, 8, 10, and 15.

Each trench is proposed to be excavated to a total depth of ten feet below ground surface (bgs). Soil samples are proposed to be collected at 1, 5, and 10 feet bgs. Each trench is proposed to be backfilled with the excavated soil, and the material compacted with the backhoe.

On February 6, 2003, Board staff visited the Astro Pyrotechnics facility. Mr. Gary Brown and several other staff from Pyro Spectaculars and Astro Pyrotechnics provided a tour of several of the work buildings, including those used for the manufacture of fireworks products. Board staff observed the concrete pads adjacent to the buildings, where accumulated liquids and sludge wastes that are generated during the manufacturing process are kept until transferred into the plastic drums and shipped off-site for disposal. According to Astro Pyrotechnics' staff, the accumulated liquids and sludge are kept in these open pads until most of water has evaporated and the volume of liquid has been reduced.



Based on the facility's current manufacturing operations (as described by Kleinfelder), and Board staff's observations of the liquid and sludge waste handling practices at the site, and considering the history of more than 20 years of pyrotechnics manufacturing at the site, we believe the proposed investigation of the liquid collector pads must be revised. The single trench adjacent to Unit No. 13C is acceptable as proposed. The four trench excavations in the vicinity of Buildings 1, 8, 10, and 15 must be performed in the soil immediately beneath the existing concrete pads, not adjacent to the pads as proposed.

In order to accomplish this task, it will be necessary to provide access for the backhoe at each concrete pad area, and excavate the soil directly beneath the pads to a minimum depth of ten feet bgs. The soil at this locality is known to be very coarse-grained, including small to medium-sized boulders, interbedded with finer-grained soils. During the excavation, samples of the finer-grained materials (such as silt, sand, or clay) must be collected from each trench, at the proposed depths of 1, 5, and 10 feet bgs. The samples must be transported to a California-certified analytical laboratory and analyzed for perchlorate, using US EPA Method 314.1, volatile organic compounds using US EPA Method 8260, and for electrical conductivity (salt content) using the saturation extract procedure.

We believe it is possible to perform each excavation in a manner that will minimize disturbance to the normal site operations. Therefore, you must make appropriate arrangements for the temporary storage of the waste materials that are associated with Building Nos. 1, 8, 10, and 15 (normally stored on the concrete pads).

A plan for temporary containment of the waste, to be implemented during the trenching activities at the site, must be submitted to me in writing by March 19, 2003. This plan must also describe the procedure for off-site disposal of the waste. In addition, we ask that you include a detailed time schedule for completing the field work and submitting the report of the results of the investigation. The plan will be subject to my approval.

The waste that is typically placed on the concrete pads and in plastic drums at this facility is a high salinity liquid or sludge, containing potassium nitrate, potassium perchlorate, and other perchlorate salts. Concrete is not an effective, permanent barrier to infiltration of liquid, and is therefore not an acceptable waste containment liner. In addition, the pads lack the capacity necessary to prevent overflow and runoff of waste from a 24-hour, 25-year storm event. Be advised that henceforth, these concrete pads will no longer be considered acceptable storage facilities for waste and wastewater at the Astro Pyrotechnics facility. Permanent facilities such as appropriately lined storage sumps or ponds, with ample capacity, as well as secondary containment for the drums that are stored on-site, must be proposed and installed. The design of these waste containment features will be subject to Board staff approval.



Mr. James Good
Astro Pyrotechnics

-4-

March 3, 2003

Please be aware that the need for additional site investigation of the soil and groundwater will be evaluated once this phase of investigation has been completed and Board staff has reviewed and evaluated the soil sampling results.

We request that all records and aerial photos that are made available to your consultant for review and evaluation also be made available to Board staff simultaneously, in advance of commencing your field investigation.

Please notify the following individuals at least 24 hours prior to all field work to allow for inspection and oversight as needed: Kamron Saremi, RWQCB, (909) 782-4303; Wendy Arano, DTSC, (714) 484-5480; and Peter Murphy, Kennedy/Jenks Consultants - Perchlorate Task Force, (949) 261-1577.

If you have any questions, please contact Kamron Saremi at (909) 782-4303, or you may call Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,

Gerard J. Thibeault
Executive Officer

cc:

Jorge Leon, SWRCB, Office of Chief Counsel
Inland Empire Perchlorate Regulatory Task Force members (mailing list attached)
James Souza, Gary Brown – Pyro Spectaculars/Astro Pyrotechnics

AES: Rialto perchlorate/13267/Astrowrkpla 03-03-03

California Environmental Protection Agency



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EXHIBIT 14

NORMAN S. BERLINER
ATTORNEY AND COUNSELOR AT LAW
330 SOUTH MISSION ROAD
LOS ANGELES, CALIFORNIA 90033
(323) 269-8228
FAX (323) 266-1244

AES
KS
On
4/1
4/11
4/2

March 26, 2003

Mr. Kameron Saremi
California Regional Water Quality
Control Board - Santa Ana Region
3737 Main Street, Suite 500
Riverside, California 92501-3348

Re: Thomas O. Peters - Property at 2298 West Stonehurst
Rialto, California

Dear Mr. Saremi:

As per our telephone conversation in regard to the above-entitled matter, I am enclosing herewith a copy of the "Preliminary Environmental Site Assessment and Limited Soil Sampling" for the property mentioned above referring to assessment made during February and March of 2003.

This document of very, very many pages was originally bound in a folder but came to me as loose pages.

To the best of my knowledge and belief, this document is complete but I do not understand the contents sufficiently to be absolutely sure.

If you find that anything is missing, please let me know and I will attempt to obtain it for you from the people that created this document.

This document was obtained by the prospective purchaser of the property involved, and whether or not the property will be sold will depend in great measure upon the reaction of the California Regional Water Quality Control Board's assessment and position with regard to any contamination that may be found.

My client, the owner, did not contribute to the contamination in any way and would like to determine whether or not the property is salable as is--and if there is a serious impediment due to contamination, then who are the responsible parties therefor.

Mr. Kameron Saremi

-2-

March 26, 2003

I thank you for your cooperation and information in this regard in the past; and, hopefully, with the enclosure, you can give me an even better opinion of the Control Board's position and requirements in this regard.

Please respond.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Norman S. Berliner".

NORMAN S. BERLINER

NSB:lb
Encl.



INCORPORATED

P.O. Box 231, Colton, CA 92324-0231 • 1355 E. Cooley Dr., Colton, CA 92324-3954 • Phone (909) 824-7210 • Fax (909) 824-7209

March 10, 2003

Varner, Saleson, and Brandt
3750 University Avenue, Suite 610
Riverside, California 92501
Attention: Mr. Bruce Varner

Job No. 03095-9

Dear Mr. Varner:

Attached is the Preliminary Environmental Site Assessment and Limited Soil Sampling report prepared for the approximately 5-acre site, located at 2298 West Stonehurst Drive in the City of Rialto, San Bernardino County, California.

We appreciate the opportunity to provide environmental assessment services for this project. If you should have any questions or comments concerning this report, please contact this firm at your convenience.

Respectfully submitted,
C.H.J., INCORPORATED

Mark D. Walters, R.E.A.
Environmental Projects Manager

MDW/RJJ:tlw

Distribution: Varner, Saleson, and Brandt (1)
Matich Corporation (3)

**PRELIMINARY ENVIRONMENTAL
SITE ASSESSMENT AND
LIMITED SOIL SAMPLING
2298 WEST STONEHURST DRIVE
RIALTO, CALIFORNIA
PREPARED FOR
VARNER, SALESON, AND BRANDT
JOB NO. 03095-9**

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ENCLOSURES: "A-1" - Index Map
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 "A-3" - Sample Location Map
 "B" - Reviewed Aerial Photographs
 "C" - Environmental Database Search Report (40)
 "D" - Chain-of-Custody
 "E" - Laboratory Data Sheets
 "F" - References
 "G" - County Documentation

PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT
AND LIMITED SOIL SAMPLING
2298 WEST STONEHURST DRIVE
RIALTO, CALIFORNIA
PREPARED FOR
VARNER, SALESON, AND BRANDT
JOB NO. 03095-9

1.0 INTRODUCTION

During February and March of 2003, a preliminary environmental site assessment (Phase I) and limited soil sampling were performed by C.H.J., Incorporated (CHJ) for the subject site, located at 2298 West Stonehurst Drive, in the City of Rialto, San Bernardino County, California. The purpose of this assessment was to determine the potential for significant environmental contamination at the site. The contents of this report are intended to address general lender guidelines for site assessments, as well as specific client concerns.

2.0 SCOPE OF WORK

The scope of work and authorization for this Phase I and limited soil sampling were specified in our prior verbal discussions with Mr. Wayne Hendrix, of Matich Corporation, and yourself. As agreed upon, our assessment included determination of:

- *The past and current uses of the site*
- *Potential contamination sources at the site*
- *Proximity of known or potentially contaminated properties near the subject site and their impact on the site*
- *Documented hazardous waste disposal on or near the site*

To provide information for these determinations the following studies were conducted:

- *Reconnaissance of the property and adjacent areas*
- *Interviews with individuals familiar with current and/or past usages of the property, if available*
- *Review of historic aerial photographs and other historical data*
- *Review of published lists of potential contamination sources, including the U.S. EPA National Priorities List and CERCLIS, Regional Water Quality Control Board Leaking Underground Tank Data Base, Identified Hazardous Waste Sites in San Bernardino County, and other available applicable lists*

- *Submit request to San Bernardino County Fire Department, Hazardous Materials Division for review of files regarding releases, spills, dumping, contamination, clean-up action, or storage of hazardous materials or waste on the site*
- *Provide limited near-surface soil sampling and laboratory analyses of specified areas of concern with respect to the current and historic usage of the subject site*

3.0 SITE DESCRIPTION

The subject site is an approximately 5-acre parcel of land located at 2298 West Stonehurst Drive in the City of Rialto, San Bernardino County, California. An Index Map and Site Map are provided as Enclosures "A-1" and "A-2", respectively.

3.1 Site Reconnaissance

At the time of our site reconnaissance, the subject site consisted of a generally rectangular parcel of land occupying approximately 5 acres. The subject site was located at the western terminus of West Stonehurst Drive and was occupied by a fireworks manufacturing facility (Astro Pyrotechnics). The fireworks facility was comprised of numerous structures identified in detail on our attached Site Map (Enclosure "A-2"). On-site structures included a residential style office located in the southwestern corner of the subject site. An employee break room, facility maintenance areas, and final product packaging buildings were located to the north of the main office. Receiving and storage areas for incoming chemicals were located in the north central portion of the subject site. Weighing and mixing related buildings were located to the east of the storage areas, and numerous scattered buildings associated with the final preparation of fireworks were located in the eastern and southeastern portions of the property. These final preparation areas generally consisted of small buildings or temporary storage containers which were isolated for safety purposes and surrounded by earthen berms. Access to the various on-site structures was available through numerous on-site dirt roads. The entire site was fenced and the primary access point was in the southwest corner, adjacent to the on-site office.

Small earthen water containment berms were identified adjacent to many of the on-site facilities, primarily the press rooms and areas utilized for chemical mixing and storage. These earthen basins were lined with plastic and were partially full at the time of our site visit due to recent rainfall. Additionally, 55-gallon storage drums utilized for the collection of on-site chemical waste were scattered throughout the property primarily in the chemical storage area, as well as the areas utilized for chemical weighing and mixing. According to the site manager (Mr. Leo Autote, Jr.), the 55-gallon

waste drums were utilized to collect the residue from each bermed area once evaporation of the collected water had occurred. Two above-ground fire suppression water tanks were noted in both the east central and west central portions of the property. The containers utilized for storing on-site chemicals prior to usage were generally of metal construction and were typically mobile-type storage containers with no significant pathways to surface soils. Due to a historic on-site fire, remnants of former structures were apparent, including a large concrete pad in the northeastern portion of the property.

General on-site housekeeping appeared to be good at the time of our site reconnaissance. With the exception of a slightly depressed area of darkened soils located immediately south of the powder storage room (see Site Map, Enclosure "A-2"), no significantly stained soils were noted during our site reconnaissance. On-site vegetation was generally absent from the subject site, with the exception of landscaped areas immediately surrounding the on-site office in the southwestern corner of the property.

No evidence was discovered during our site visit of underground storage tanks (USTs), above-ground storage tanks (ASTs), or electrical transformers.

3.2 Adjacent Property Land Use

The subject site was bounded to the north by a cement truck parking lot (dirt) associated with a Robertson's Ready Mix facility located further to the north. The subject site was bounded to the west by a dirt access road associated with the Robertson's Ready Mix yard, as well as the northern terminus of Alder Avenue. The eastern edge of a county landfill was readily apparent further to the west and northwest of the subject site, beyond Alder Avenue. The subject site was bounded to the south by West Stonehurst Drive. Several construction materials related facilities were located to the south and southeast of the subject site, beyond West Stonehurst Drive. The subject site was bounded to the east by an open yard for the storage of construction equipment and construction materials.

3.3 General Geologic and Hydrologic Setting

The subject site is located in the Chino Basin. The Chino Basin is a sedimentary basin bounded by major faults and resistant hills. This basin, which is underlain by the Perris Block, a relatively stable down-dropped structural block of bedrock, is bounded by the active San Jacinto Fault Zone to the northeast, the Puente Hills fault and the potentially active Chino-Corona Segment of the Elsinore fault zone to the west and the San Gabriel Mountains to the north (California Division of Mines and Geology, 1976).

The subject site is mapped as being underlain by Quaternary-age alluvial fan deposits (Morton, 1974). The northwest to southeast trending San Jacinto fault zone is located approximately 2.2 miles to the northeast (Morton, 1974), and the northwest to southeast-trending San Andreas fault zone is located approximately 6.0 miles to the northeast (Morton, 1974).

The subject site lies within the Upper Colton-Rialto Hydrologic Subarea of the Santa Ana Drainage Province (Department of Water Resources, 1971). The depth to groundwater (regional aquifer) was mapped as being approximately 400 feet below ground surface (bgs) in 1960 (California Division of Mines and Geology, 1976). The depth to groundwater (regional aquifer) in State Well No. 01N/05W-28J(02), located approximately 0.5 mile to the southeast, was 390.25 feet bgs on October 23, 2001 (Western Municipal Water Department, 2002). The groundwater gradient is anticipated to be generally to the southeast towards the Santa Ana River.

4.0 SITE HISTORY AND LAND USE

4.1 Aerial Photograph Review

Aerial photographs taken in 1938, 1978, 1986, 1991, and 1996 were reviewed for historical usage of the subject site. These photographs are on file with the San Bernardino County Flood Control District and the specific coverage is provided as Enclosure "B". Due to the absence of several photographs, coverage was somewhat limited at the time of our visit. Review of these photographs indicated that the subject site generally consisted of vacant land at the time of the earliest photographs reviewed (1938). The subject site generally consisted of an industrial yard from the late 1960s until the date of the most recent photographs reviewed (1996).

Review of the 1938 aerial photographs indicated that the subject site and surrounding properties consisted of generally vacant, undeveloped land occupied by a scattered growth of shrubs. An undeveloped graded area was noted further to the northwest of the subject site.

Review of the 1978 aerial photographs indicated that the subject site was generally in its current state of development, with the exception of the absence of several small work buildings and associated earthen berms in the southeastern portion of the site. No significant staining of surficial soils was noted, and the site appeared to be fully fenced. Adjacent properties to the west and east of the subject site were generally vacant with the exception of a building located approximately 300 feet to the east of the subject site. A heavily industrial area, including numerous bunker-type earthen storage facilities was

located to the northwest, north, and northeast of the subject site. The bunker complex extended approximately 1/4 mile further to the northwest of the subject site. Properties to the south of West Stonehurst Drive were generally in their current state of development with numerous commercial and industrial businesses.

Review of the 1986 aerial photographs indicated no significant changes to the subject site, with the exception of the addition of numerous smaller structures to the central portion of the site. Adjacent land to the east and south of the subject site was unchanged from the previous aerial photographs reviewed. The bunker storage complex was still evident to the north and northwest of the subject site, although a reduction in overall activity in this area was evident at the time of these photographs. Development of the current county landfill was noted to the west of the subject site.

Review of the 1991 aerial photographs indicated that the subject site and adjacent properties to the west, south, and east of the subject site were generally in their current state of development. On-site development appeared to reflect the facility layout identified during our recent site reconnaissance. With the exception of a slight decline in apparent activity, the bunker storage complex was still evident to the north and northwest of the subject site at the time of these photographs.

Review of the 1996 aerial photograph indicated no significant changes to the subject site or adjacent properties. Significant commercial and industrial development was apparent further to the east and northeast of the subject site.

4.2 City of Rialto Building Departments Records Review

A review of records on file with the City of Rialto's Building Department for the subject site address 2298 West Stonehurst Drive was conducted. Available records included numerous building and utility permits for the on-site structures dated 1967. Additional permits associated with post-fire repair/construction were dated 1976 and 2000. Permits for underground structures, such as clarifiers and USTs were not identified within the available records. The Building Department permit information was provided by the City of Rialto's Building Department personnel.

4.3 County Assessor Records Review

According to the available information at the County of San Bernardino Assessor's office, located in the City of San Bernardino, California, as well as information provided by the client, the subject site consists of three separate parcels totaling 5.03 acres. One address (2298 West Stonehurst Drive) was

identified for the subject site parcels. The three Assessor's Parcel Numbers associated with the subject site include 1133-071-005, 1133-071-006, and 1133-071-007.

4.4 Site Contact Interview

At the time of our site reconnaissance, an on-site interview was conducted with Mr. Tim Stockton and Mr. Leo Autote, Jr. It was our understanding that Mr. Stockton was involved with the chemical composition and analysis portion of the fireworks business, and that Mr. Autote was the overall plant manager for the facility. Based on information provided during our interview, the subject site has been operating as Astro Pyrotechnics since approximately 1987. From approximately 1971 to 1987, the subject site was operating as Trojan Fireworks (Freedom Fireworks). Prior to 1971, the subject site was operating as a manufacturing facility for flares (Amex). Mr. Autote described the collection and disposal of on-site wastewater and product as previously mentioned in the site description section of this report and identified by Environmental Dynamics as the company responsible for periodic (every one to three months) pick up and disposal of the on-site waste drums. According to Mr. Autote, the current method of collection and disposal and on-site waste has been in affect for many years, and he was not aware of any significant releases to the soil during his time of employment on site.

4.5 Topographical Map Review

Historical maps published by the U.S. Department of the Interior, U.S. Geological Survey, for the subject site and vicinity were reviewed. The 7.5 minute Devore Quadrangle, dated 1966 and photo revised in 1980, was utilized for the subject site and is summarized below.

- 1966:** West Stonehurst Drive was in place, and a single on-site structure (current office) was noted in the southwestern most corner of this site. Numerous structures (ordinance bunkers) and associated access roads were located to the north and northwest of the subject site. Alder Avenue was noted along the site's western boundary, and several additional scattered structures were noted to the east of the subject site and to the southeast and south of the subject site, beyond West Stonehurst Drive.
- 1980:** Three additional structures were noted in the northern and eastern portions of the subject site at the time of the 1980 photo revision. Additional structures and associated roads were apparent to the north of the subject site and to the south of the site, beyond West Stonehurst Drive.

4.6 Other Historical Sources

Based on the historically rural nature of the subject site and surrounding properties, Sanborn Fire Insurance Maps for the subject site and immediate vicinity were not readily available.

5.0 REGULATORY AGENCY RECORDS REVIEW

County, State, and Federal listings were compiled and searched by a nationwide regulatory agency database company, Environmental Data Resources (EDR), and reviewed by CHJ. The listings/database were searched by EDR for sites located within 1 mile (or less) of the subject site, in accordance with the standards promulgated by the American Society for Testing and Materials (ASTM) for Phase I Environmental Site Assessments (ASTM E1527-94). The actual distances searched for each listing/database (federal and state) are indicated within the information provided by the EDR report included as Enclosure "C" of this report. Additional explanations of the Federal and State listings are provided in the portion of the EDR report entitled "Government Records Searches/Data Currency Tracking". Any relevant discussions concerning "unmapped" sites are presented within the respective sections.

5.1 County of San Bernardino Fire Department

5.1.1 A request for records review specific to the subject site was submitted to the *County of San Bernardino Fire Department's Hazardous Materials Division*. This review included any County available information regarding underground storage tanks (USTs), hazardous waste generators, hazardous material handlers, and emergency response records specific to the subject site. The presence of underground tanks, hazardous waste generators, and hazardous material handlers does not necessarily indicate the existence of contamination. However, this information may indicate if there are potential contamination sources in the site vicinity.

The official response from the County indicated that **records were found** for the subject site address. A summary of any significant findings made during a review of available County records is provided below.

- Records associated the removal of a single 1,000-gallon gasoline UST and associated dispenser were identified. The tank was removed in June of 1997 by Secor International, Inc. with County oversight. The results of soil sampling collected beneath the former tank and dispenser island indicated no significant releases of hydrocarbons, and a County closure letter for the subject site (associated with the tank removal) was issued on July 10, 1997. A copy of the County closure letter is provided in Enclosure "G" of this report.

- A County inspection letter and associated Notice of Violation, dated June 1997, were reviewed, as well as numerous additional inspection records. The June 1997 County letter refers to soil staining associated with a hydraulic oil leak, the release of wastewater from the shallow bermed collection areas, and an absence of copies of appropriate disposal certifications which had not been received by the County at the time of their follow up letter. The County letter identified nine specific areas requiring attention and/or correction. A copy of the County letter and associated Notice of Violation are provided in Enclosure "G".
- Numerous forms and fee receipts for the permitting of the subject site as a small quantity hazardous materials handler and hazardous waste generator were identified in the County file.
- An inventory listing of used or stored hazardous materials and/or wastes on the subject site, dated 1997, was identified in the County file, and a copy is provided in Enclosure "G".
- Reference to a on-site explosion at the facility (Trojan Fireworks), dated 1987, and reference to an associated employee death were made in the County file.

No other significant records associated with subject site were readily available during the County review. It is our understanding that records associated with a groundwater contamination issue in the site vicinity are being overseen by the California State Department of Toxic Substances Control. These records were not readily available at the time of the issuance of this report.

5.1.2 EDR conducted a search of the County of San Bernardino Fire Department's HMD permitted facilities, dated January 2002. This listing includes USTs, medical waste handlers/generators, hazardous materials handlers, hazardous waste generators, and waste oil handlers/generators. This review indicated that neither the subject site nor vicinity locations were included on the listing.

5.2 State of California

5.2.1 The *California Hazardous Waste Sites* (CAL-SITES) list, dated November 2002, which combines the former Abandoned Sites Program Information System (ASPIS) and the State Superfund list, was compiled by EDR to check for the inclusion of the subject site and facilities located within a 1 mile radius of the subject site. EDR conducted a database search to a radius of 1 mile for SPL sites (Annual Work Plan, or State Superfund sites, and high priority sites) and 1/2 mile for SCL sites (medium/low priority and no further action sites). The subject site was not included in either search, and no SPL or SCL facilities were identified by EDR within a 1 mile and 1/2 mile radius of the subject site, respectively.

5.2.2 The *California Identified Hazardous Waste and Substance Sites* (CORTESE), dated April 2001, lists hazardous waste and substance sites compiled according to Assembly Bill 3750 (CORTESE, Chapter 1048, Statutes of 1986). The information included in this list comes from the State Department of Health Services (public drinking water wells and detectable levels of contamination, hazardous substances sites selected for remedial action, and site with known toxic materials identified through the Abandoned Sites Assessment Program), the State Water Resources Control Board (sites with USTs having a reportable release), and the California Waste Management Board (all solid waste disposal facilities from which there is known migration). These lists were compiled by EDR and reviewed by CHJ to check for the inclusion of the subject site and properties located within a 1 mile radius of the subject site. The subject site and adjacent properties do not appear within this publication. There was, however, one CORTESE facility (Rib Roof) identified within a 1/2 to 1 mile radius of the subject site. This facility is further summarized in the attached EDR report.

5.2.3 The *California Toxic Pits Clean-Up Act Sites* (Toxic Pits), dated February 1995, identifies sites that are subject to the Toxic Pit Clean-Up Act. This list, which references sites suspected of containing hazardous substances where cleanup has not yet been completed, was compiled by EDR and reviewed by CHJ to check for the inclusion of the subject site and properties located within a 1/2 mile radius of the subject site. The subject site is not listed within this publication, and no Toxic Pits facilities were identified within a 1/2 mile radius of the subject site.

5.2.4 The *California Underground Storage Tank Registrations* listing, dated January 2003, and the *Above Ground Storage Tank Database*, dated November 2002, which list all registered USTs and ASTs in the State of California, were compiled by EDR. This information was reviewed by CHJ to check for the inclusion of the subject site and adjacent facilities. Neither the subject site nor any adjacent facilities were included in this listing. A historical UST registered database listing provided by EDR and dated October 15, 1990, indicated one historical UST site 1/8 mile east of the subject site, along West Stonehurst Drive. This facility is further summarized in the attached EDR report.

5.2.5 The EDR report includes research of two leaking underground storage tank (LUST) databases: The *LUST Information System* (LUSTIS) published by the California EPA, dated January 2003, and the *Region 8 - Leaking Underground Storage Tank Listing*, dated December 2002, published by the *California Regional Water Quality Control Board's* (CRWQCB). These databases were searched by EDR for sites located within a 1/2 mile radius of the subject site. The subject site does not appear on these databases, and no LUST facilities were identified within a 1/2 mile radius of the subject site.

5.2.6 The *Solid Waste Information System* (SWIS) database, maintained by the California Integrated Waste Management Board, dated December 2002, was reviewed by EDR for landfills within a 1/2 mile radius of the subject site. The subject site does not appear on this listing; however, one SWIS facility (Hudson & Odham Tire Company), located at 3040 Locust Avenue, was identified approximately 1/4 to 1/2 mile east to southeast of the subject site. This facility is further summarized in the attached EDR report.

5.2.7 EDR conducted a search of the *California EPA Deed Restriction Properties Report*, dated January 2003, for facilities subject to hazardous materials investigations within a 1/2 mile radius of the subject site. Neither the subject site nor any other facilities within a 1/2 mile radius of the subject site were identified on this listing.

5.2.8 Several state and/or local supplemental databases were included within the search of pertinent records. The subject site was not included on any of the supplemental databases. There were, however, three facilities identified within a 1/8 mile radius of the subject site. These facilities are summarized further in the attached EDR report.

5.3 Federal Government

5.3.1 The United States Environmental Protection Agency (USEPA) *National Priorities List* (NPL) or Superfund Listing, dated October 2002, and the *Comprehensive Environmental Response, Compensation and Liability Information Source* (CERCLIS), dated December 2002, which lists all sites receiving or potentially eligible to receive Superfund investigation and/or remediation assistance in California, were compiled by EDR. The NPL sites were reviewed for facilities within a 1 mile radius, and CERCLIS sites were reviewed for facilities within a 1/2 mile radius. The subject site is not included on the NPL or CERCLIS listings, and no NPL facilities were identified within a 1 mile radius of the subject. However, Denova Environmental, Incorporated, identified at 2824 North Locust Avenue, was identified 1/4 to 1/2 mile east/southeast of the subject site on the CERCLIS listing. This facility is further summarized in the attached EDR report.

5.3.2 The *USEPA Resource Conservation and Recovery Information System* (RCRIS) listing, dated September 2002, was compiled by EDR. This listing includes selective information on sites which generate, transport, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA) as well RCRA violation facilities. This listing was reviewed for

treatment, storage or disposal facilities (TSDs) and for TSD facilities with RCRA violations within a 1/2 mile and 1/4 mile radius, respectively, of the subject site. The subject site does not appear in either of these listings, and no TSD or RCRA Violator facilities were identified by EDR within a 1/2 mile and 1/4 mile radius of the subject site, respectively.

The RCRIS listings were also compiled by EDR for small quantity generators (SmGen) and large quantity generators (LgGen) within a 1/8 mile radius of the subject site. The subject site and several adjacent properties were identified as hazardous materials handlers and hazardous waste generator facilities. These facilities are further summarized in the attached EDR report.

5.3.3 The *USEPA Emergency Response Notification System* (ERNS) list, dated December 201, which lists spill records and information on reported releases of oil and hazardous substances was compiled by EDR to check for the inclusion of the subject site and facilities located within a 1/8 mile radius of the subject site. The subject site does not appear within this publication, and no ERNS facilities were identified on adjacent properties (within 1/8 mile).

5.3.4 The *Toxic Release Inventory System* (TRIS), dated December 2000, lists facilities subject to reporting under Section 313 of the Emergency Planning and Community Right To Know Act (Sara Title III) of 1986. The subject does not appear within this publication, and no TRIS facilities were identified on adjacent properties (within 1/8 mile).

5.3.5 EDR conducted a review of the *USEPA RCRA Corrective Action Sites* (CORRACTS) list, dated September 2002. CORRACTS facilities are those that are undergoing corrective action as a result of a release of hazardous waste or constituents into the environment from a RCRA facility. The subject site does not appear on the listing and no CORRACTS facilities were identified within a 1 mile radius of the subject site.

5.3.6 Research of available environmental records pertaining to the subject site and vicinity also included several supplemental federal and state/local databases. The subject site and facilities within a 1 mile radius of the site were not listed on any of the supplemental federal databases. There were, however, several state and/or local supplemental database facilities located within a 1/4 mile radius of the subject site. These facilities are further described in the attached EDR report.

5.3.7 EDR identified three facilities on regulatory databases that were considered to be unmappable. Based upon observations conducted during the subject site vicinity reconnaissance, these unmapped facilities are not considered to be located within specified search radii.

With the exception of the regional groundwater issue described in section 7.2 of this report, the potential for contamination originating from off-site locations identified in the EDR report is, in our opinion, sufficiently removed from the site or not of a magnitude that is anticipated to create a significant impact to the site.

5.4 Underground Pipelines

No indications of large high pressure gas or petroleum product lines on or adjacent to the subject site were observed during site reconnaissance or documented on oil and gas pipeline maps (Pennwell, 1983).

Small, natural gas distribution pipelines are typically located under and adjacent to street or right-of-way areas. This type of gas pipeline may be located along street(s) in the vicinity of the subject site (West Stonehurst Drive). Service lines can be expected to extend from the distribution lines to individual users of developed site.

6.0 LIMITED SOIL SAMPLE COLLECTION AND ANALYSES

Based on the current usage of the subject site and the former usage of the site as a flare manufacturing facility, a limited soil sampling program was initiated with the approval of the client to investigate the near-surface soils.

6.1 Sample Locations

Based on the information gathered to date as part of the Phase I investigation, near-surface soil samples were collected at a representative number of on-site locations to investigate the potential for residual chemical contamination. The sample locations were concentrated in areas likely to receive suspect storm water runoff and adjacent to areas of significant chemical usage. The samples were collected from a depth of approximately 12 inches bgs with the aid of a stainless steel trowel. A total of 10 soil samples were collected throughout the subject site and were subsequently analyzed. The attached Sample Location Map (Enclosure "A-3") indicates the approximate sample locations.

6.2 Sampling and Decontamination Procedures

Prior to sampling and between samples, all equipment was decontaminated in a detergent solution and rinsed twice with potable water to ensure that cross-contamination of samples did not occur. The sample packaging consisted of placing the soil directly into laboratory-cleaned glass jars with Teflon-lined lids. The samples were labeled with the job number, sample number, depth, date, and time of collection and placed directly into a thermally-insulated container with Blue Ice. The samples were transported under chain-of-custody protocol (Enclosure "D") to a State of California Department of Health Services certified laboratory for analytical testing.

6.3 Laboratory Analyses

Based on the current and historical usage of the property, all samples were analyzed for Perchlorate by EPA Method 314. Additionally, three of the 10 soil samples were analyzed for Cam Metals by EPA Method 6010.

6.4 Analytical Results

The analytical test results indicated detectable levels of Perchlorate in eight of the 10 samples collected. Concentrations generally ranged from 49 micrograms/kilogram (ppb) to 500 ppb. One sample (Sample No. S-6) obtained a result of 55,000 ppb or 55 parts per million (ppm) of Perchlorate. This sample underwent dilution at the laboratory in order to obtain a reading within the limits of the laboratory equipment.

The analytical results for metals testing on Samples No. S-1, S-2, and S-8, indicated levels below the total threshold limit concentration for each analyzed constituent. Sample No. S-8, however, was identified with a chromium concentration of 120 ppm. Although this concentration does not immediately identify the material as a hazardous waste, the soluble threshold limit concentration test would need to be conducted (based on the correlation obtained) to eliminate the potential that this material will be considered a hazardous waste.

The specific analytical results for all soil samples analyzed are summarized in Enclosure "E".

7.0 CONCLUSIONS

At the time of our site reconnaissance, the subject site consisted of a generally rectangular parcel of land occupying approximately 5 acres. The subject site was located at the western terminus of West Stone-

hurst Drive and was occupied by a fireworks manufacturing facility (Astro Pyrotechnics). The fireworks facility was comprised of numerous structures identified in detail on our attached Site Map (Enclosure "A-2"). On-site structures included a residential style office located in the southwestern corner of the subject site. An employee break room, facility maintenance areas, and final product packaging buildings were located to the north of the main office. Receiving and storage areas for incoming chemicals were located in the north central portion of the subject site. Weighing and mixing related buildings were located to the east of the storage areas, and numerous scattered buildings associated with the final preparation of fireworks were located in the eastern and southeastern portions of the property. These final preparation areas generally consisted of small buildings or temporary storage containers which were isolated for safety purposes and surrounded by earthen berms. Access to the various on-site structures was available through numerous on-site dirt roads. The entire site was fenced and the primary access point was in the southwest corner, adjacent to the on-site office.

Small earthen water containment berms were identified adjacent to many of the on-site facilities, primarily the press rooms and areas utilized for chemical mixing and storage. These earthen basins were lined with plastic and were partially full at the time of our site visit due to recent rainfall. Additionally, 55-gallon storage drums utilized for the collection of on-site chemical waste were scattered throughout the property primarily in the chemical storage area, as well as the areas utilized for chemical weighing and mixing. According to the site manager (Mr. Leo Autote, Jr.), the 55-gallon waste drums were utilized to collect the residue from each bermed area once evaporation of the collected water had occurred. Two above-ground fire suppression water tanks were noted in both the east central and west central portions of the property. The containers utilized for storing on-site chemicals prior to usage were generally of metal construction and were typically mobile-type storage containers with no significant pathways to surface soils. Due to a historic on-site fire, remnants of former structures were apparent, including a large concrete pad in the northeastern portion of the property.

General on-site housekeeping appeared to be good at the time of our site reconnaissance. With the exception of a slightly depressed area of darkened soils located immediately south of the powder storage room (see Site Map, Enclosure "A-2"), no significantly stained soils were noted during our site reconnaissance. On-site vegetation was generally absent from the subject site, with the exception of landscaped areas immediately surrounding the on-site office in the southwestern corner of the property.

No evidence was discovered during our site visit of underground storage tanks (USTs), above-ground storage tanks (ASTs), or electrical transformers.

The subject site was bounded to the north by a dirt cement truck parking lot associated with a Robertson's Ready Mix facility located further to the north. The subject site was bounded to the west by a dirt access road associated with the Robertson's Ready Mix yard, as well as the northern terminus of Alder Avenue. The eastern edge of a county landfill was readily apparent further to the west and northwest of the subject site, beyond Alder Avenue. The subject site was bounded to the south by West Stonehurst Drive. Several construction materials related facilities were located to the south and southeast of the subject site, beyond West Stonehurst Drive. The subject site was bounded to the east by an open storage yard for construction equipment and construction materials.

7.1 Soil Contamination

No evidence of commercial dumping or waste disposal on the site was documented in the available records we reviewed or observed during our site reconnaissance and aerial photograph review. With the exception of the area of darkened soils previously identified, the site reconnaissance revealed no significant staining or discolored vegetation. No evidence was discovered of USTs, ASTs, or electrical transformers.

Based on the information gathered to date as part of the Phase I investigation, near-surface soil samples were collected at a representative number of on-site locations to investigate the potential for residual chemical contamination. The sample locations were concentrated in areas likely to receive suspect storm water runoff and adjacent to areas of significant chemical usage.

Based on the current and historical usage of the property, all samples were analyzed for Perchlorate by EPA Method 314. Additionally, three of the 10 soil samples were analyzed for Cam Metals by EPA Method 6010.

The analytical test results indicated detectable levels of Perchlorate in eight of the 10 samples collected. Concentrations generally ranged from 49 micrograms/kilogram (ppb) to 500 ppb. One sample (Sample No. S-6) obtained a result of 55,000 ppb or 55 parts per million (ppm) of Perchlorate.

The analytical results for metals testing on Samples No. S-1, S-2, and S-8, indicated levels below the total threshold limit concentration for each analyzed constituent. Sample No. S-8, however, was identified with a chromium concentration of 120 ppm. Although this concentration does not immediately identify the material as a hazardous waste, the soluble threshold limit concentration test would need to be conducted (based on the correlation obtained) to eliminate the potential that this material will be considered a hazardous waste.

Potential soil contamination from adjacent land uses is considered to be minimal based on the site reconnaissance.

Based on a conversation with a San Bernardino County HMD Inspector, Mr. Curtis Brundage, the Perchlorate results, although generally low, would likely require significant additional sampling and investigation to determine vertical and lateral extent of Perchlorate contamination. Mr. Brundage also stated that no maximum level of Perchlorate in soil had been established for the area and that the determination would be on a case by case basis. A maximum groundwater concentration of 4 parts per billion (ppb) had been identified.

7.2 Groundwater Contamination

The subject site is situated over a portion of the Santa Ana Drainage Province known to be impacted by Perchlorate. Numerous water wells in the vicinity are being investigated or have been removed from production since the identification of the Perchlorate plume. In addition, numerous additional wells are threatened by the contaminated groundwater further to the southeast of the subject site. Based on our review of available records, the potential for the existence of contaminated groundwater beneath the subject site is high. Additionally, due to the current and historic site usage of Perchlorate associated with the manufacturing of fireworks and/or flares, as well as the elevated concentrations of Perchlorate in the shallow surface soils identified on site, the potential for the subject site becoming a potentially responsible party for existing regional groundwater contamination is, in our opinion, high.

If groundwater development is proposed at the site, additional investigations and research specific to groundwater quality at the site and in the vicinity should be conducted.

8.0 RECOMMENDATIONS

Based on the results of the limited on-site soil sampling, it is recommended by CHJ, based on current County requirements, that the laboratory analyses data, as well as a copy of this report be submitted to the County by the site owner for review. This submission is necessary based on a Perchlorate "release" currently known to impact at least the surface soils at the subject site.

An expanded and comprehensive on-site sampling program, which may include more sampling locations, additional laboratory analyses, and possible groundwater investigations, should be considered in order to further delineate on-site contamination, as well as the possible contribution of current or historic subject site activities to the regionally-impacted groundwater. Any future on-site investigations should be conducted with County oversight to ensure compliance.

The darkened soils noted on site should be removed and disposed of properly. If discolored soils, soils with an unusual odor, or undocumented subsurface structures are encountered during future development on the site, this firm or similarly qualified firm should be contacted and work discontinued in that particular area until an evaluation of the soils can be made.

If groundwater development is proposed at the site, additional investigations and research specific to groundwater quality at the site and in the vicinity should be conducted.

9.0 LIMITATIONS

C.H.J., Incorporated has performed our services within the limits prescribed by our client with no vested interest in the site or in the subject matter contained in the report and with the usual thoroughness and competence of the engineering profession. C.H.J., Incorporated makes no other warranty or representation, either express or implied.

The conclusions and recommendations in this report are based upon the research and site reconnaissance described in this report. This site assessment was limited to surficial investigative methods, and does not address site specific subsurface conditions. Should conditions be encountered in the field that appear different than those described in this report, we should be contacted immediately in order that we might evaluate their effect. Site conditions are subject to change with time, and should be evaluated

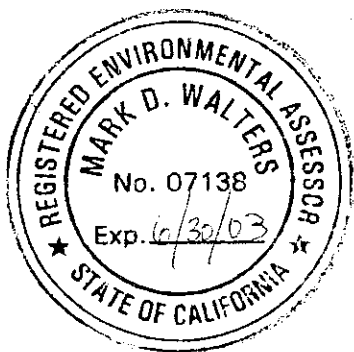
within this context. C.H.J., Incorporated shall not be responsible for conditions or consequences arising from relevant facts that were concealed, withheld, or not fully disclosed at the time the assessment was performed.

If this report or portions thereof are provided to others, it should be understood by all parties that it is provided for information only, and should be used as such.

This report and its contents resulting from this investigation are not intended or represented to be suitable for reuse on extensions or modifications of the project or for use on any other projects.

10.0 CLOSURE

We appreciate this opportunity to provide environmental assessment services for this project. If you should have any questions or comments regarding this report, please contact this firm at your convenience.



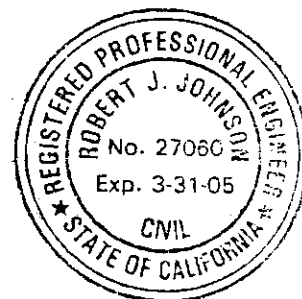
Respectfully submitted,
C.H.J., INCORPORATED

A handwritten signature in black ink, appearing to be "MDW", written over a horizontal line.

Mark D. Walters, R.E.A. 7138
Environmental Projects Manager

A handwritten signature in black ink, appearing to be "RJ Johnson", written over a horizontal line.

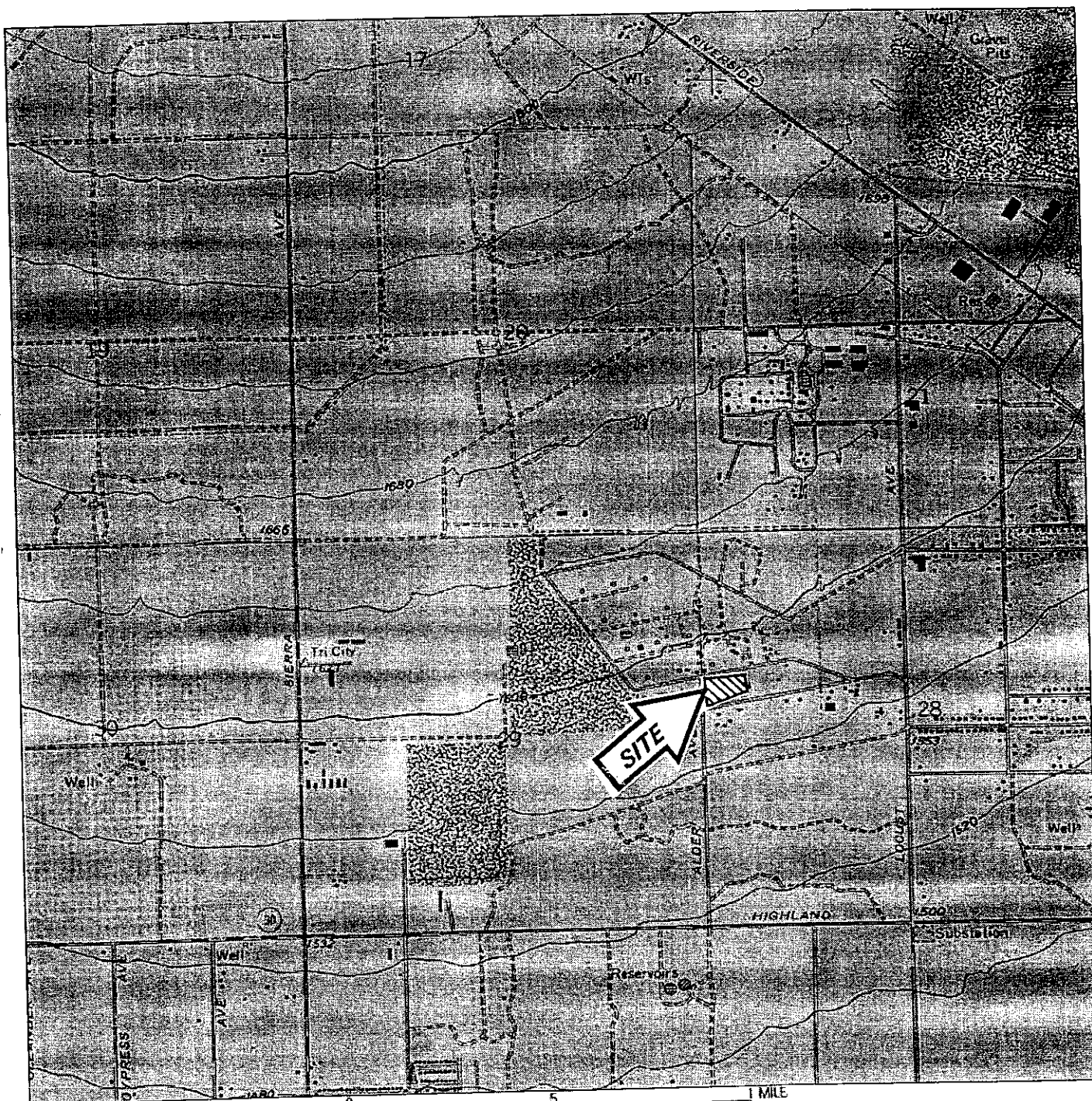
Robert J. Johnson, R.C.E. 27060
Senior Vice President



MDW/RJJ:tlw

ENCLOSURE "A"

MAPS



TN/MN
13 1/2°

0 1000 FEET 0 500 1000 METERS
Map created with TOPO!® ©2001 National Geographic (www.nationalgeographic.com/topo)

INDEX MAP

FOR:
**VARNER, SALESON
& BRANDT**

PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT
2298 W. STONEHURST DRIVE
RIALTO, CALIFORNIA

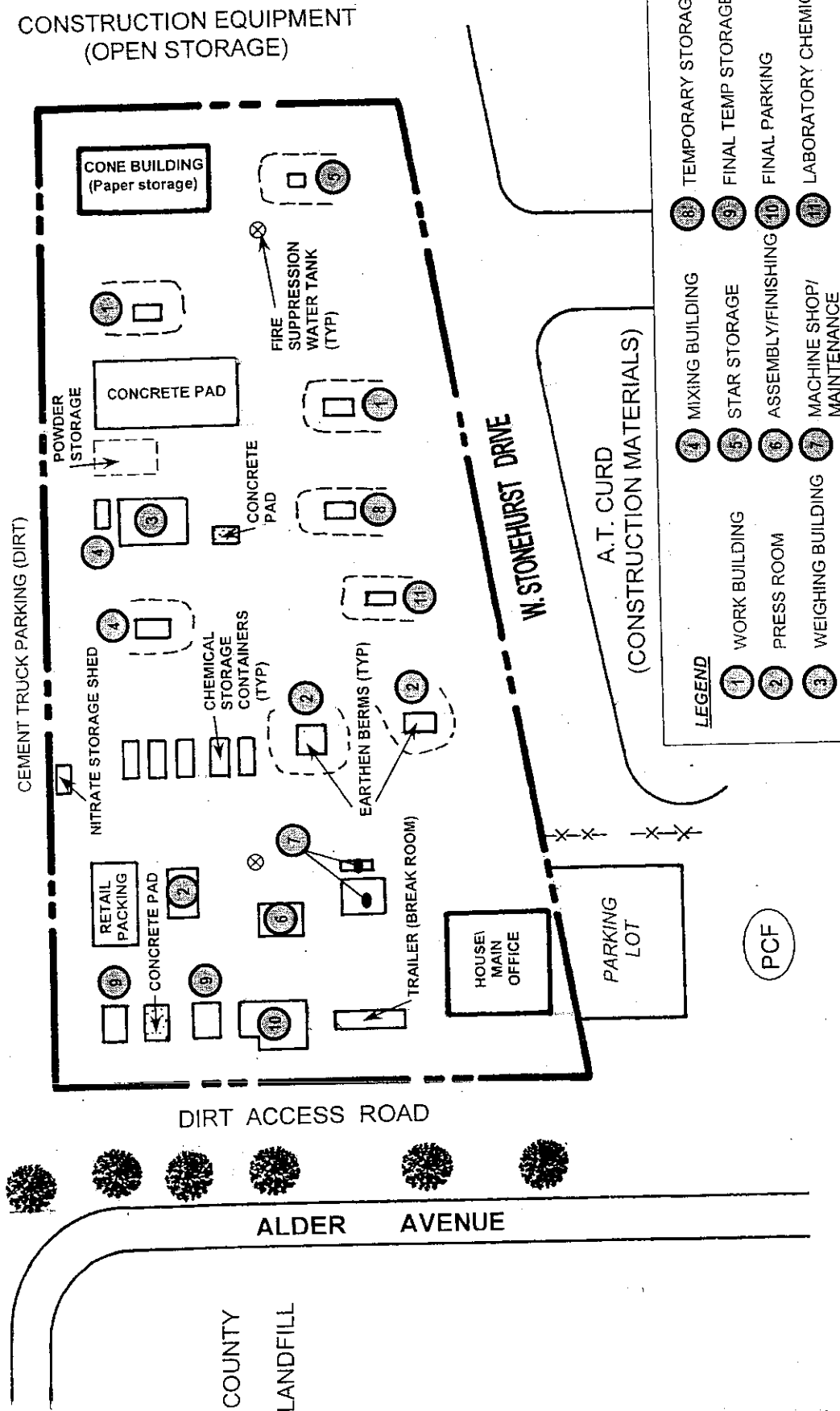
ENCLOSURE
"A-1"

JOB NUMBER
03095-9

DATE: **MARCH 2003**

C.H.J., INCORPORATED

ROBERTSON'S READY MIX



NOT TO SCALE

SITE MAP

ENCLOSURE
"A-2"

PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT
2298 W. STONEHURST DRIVE
RIALTO, CALIFORNIA

FOR:
VARNER, SALESON
& BRANDT

JOB NUMBER
03095-9

DATE: MARCH 2003

C.H.J., INCORPORATED

ANALYTICAL REPORT

Centrum Analytical Laboratories, Inc.
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Riverside, CA 92507-2111

Date Sampled: 02/14/03
Date Received: 02/17/03
Date Analyzed: 02/19/03

Attn: Marilu Escher
RE: Astro Pyrotechnics (A.P.) / 21842

Work Order No.: 03-02-0884
Method: EPA 314.0M
Page 1 of 1

All concentrations are reported in $\mu\text{g/kg}$ (ppb).

<u>Sample Number</u>	<u>Perchlorate Concentration</u>	<u>Reporting Limit</u>
S-1	500	20
S-2	260	20
S-3	ND	20
S-4	220	20
S-5	ND	20
S-6	55000	4000
S-7	150	20
S-8	100	20
S-9	58	20
S-10	49	20
Method Blank	ND	20

ND denotes not detected at indicated reportable limit.

Each sample was received by CEL chilled, intact, and with chain-of-custody attached.

QUALITY ASSURANCE SUMMARY
Method EPA 314.0M

Centrum Analytical
Page 1 of 1

Work Order No.: 03-02-0884
Date Analyzed: 02/19/03

Matrix Spike/Matrix Spike Duplicate

Sample Spiked: S-1

<u>Analyte</u>	<u>MS%REC</u>	<u>MSD%REC</u>	<u>Control Limits (%)</u>	<u>%RPD</u>	<u>Control Limits (%)</u>
Perchlorate	110	99	80 - 120	2	0 - 15

Laboratory Control Sample

<u>Analyte</u>	<u>Conc. Added</u>	<u>Conc. Rec.</u>	<u>%REC</u>	<u>Control Limits (%)</u>
Perchlorate	250	270	108	85 - 115

EXHIBIT 15



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (909) 782-4130 - FAX (909) 781-6288

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.

November 6, 2002

Mr. James Good
Gresham, Savage, Nolan & Tilden, LLP
600 North Arrowhead Avenue
Suite 300
Bernardino, CA 92401-1148

REVISION TO DIRECTIVE AND EXTENSION OF DEADLINE TO SUBMIT WORK PLAN FOR PERCHLORATE INVESTIGATION IN THE VICINITY OF PYRO SPECTACULARS BY SOUZA (3196 NORTH LOCUST AVENUE) AND ASTRO PYROTECHNICS (2298 WEST STONEHURST) FACILITIES, CITY OF RIALTO, SAN BERNARDINO COUNTY, CALIFORNIA

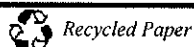
Dear Mr. Good:

In my letter of October 7, 2002, I specified the requirements and deadline for submittal of a work plan by Pyro Spectaculars by Souza (hereinafter Pyro Spectaculars) for an investigation for perchlorate in soil and groundwater in the vicinity of the Pyro Spectaculars facility and former storage bunkers in North Rialto. This investigation was required pursuant to Section 13267 of the California Water Code.

Since October 7, 2002, it has come to our attention that the Astro Pyrotechnics facility (formerly Trojan Fireworks), located at 2298 West Stonehurst in North Rialto, is a subsidiary of Pyro Spectaculars. Information that local businesses provided to us in response to subpoenas (see Enclosures) indicates that Pyro Spectaculars (dba Astro Pyrotechnics, formerly Trojan Fireworks Company) has manufactured and stored fireworks products containing perchlorate salts. The evidence further indicates that Pyro Spectaculars (dba Astro Pyrotechnics, formerly Trojan Fireworks Company) has also stored and burned (on site) waste from the manufacture of these fireworks products. Therefore, it is appropriate that the scope of the investigation required to be conducted by Pyro Spectaculars be expanded to address discharges of perchlorate from the facility at 2298 West Stonehurst (in addition to the required investigation in the vicinity of 3196 North Locust Avenue, and the former storage bunker area, North Rialto).

You have requested a 30-day extension of the November 7, 2002 deadline, on behalf of your client (Pyro Spectaculars). It is my understanding that the 30-day extension will provide additional time for you to retain a qualified consultant and complete the work plan. As indicated to you in a November 4th phone call with my Assistant Executive Officer, the extension is approved, with the stipulation that the work plan must be expanded to include a proposal to investigate the soil and groundwater in the vicinity of the Astro Pyrotechnics facility, 2298 West Stonehurst (a subsidiary of Pyro Spectaculars). This work plan must be submitted by December 9, 2002.

California Environmental Protection Agency



Failure to submit the required information, as described in our letter of October 7, 2002, by the December 9, 2002 deadline will subject Pyro Spectaculars by Souza to administrative civil liability in the amount of up to \$1,000 per day, pursuant to Section 13268(a) and (b) of the California Water Code.

If you have any questions about this letter, please contact Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,

Gerard J. Thibeault
Executive Officer

Enclosures:

- 1 – Pyro Spectaculars correspondence dated September 1, 1988
- 2 – San Bernardino County Hazardous Waste Generator Inspection Reports for 2298 West Stonehurst, North Rialto
- 3 – Newspaper article describing explosion of pyrotechnic waste at 2298 West Stonehurst, North Rialto
- 4 – Historical records from Trojan Fireworks Company
- 5 – Inland Empire Perchlorate Regulatory Task Force Mailing List

cc w/ enclosures:

James Souza, Pyro Spectaculars by Souza

cc w/out enclosures:

Regional Board

Jorge Leon, Office of Chief Counsel, SWRCB

Inland Empire Perchlorate Regulatory Task Force (see mailing list)

AES/Data/SLIC/Rialto perchlorate 01-02/13267/Pyros Spectaculars wkplan extrn

California Environmental Protection Agency



Recycled Paper

EXHIBIT 16



KLEINFELDER

An employee owned company

December 9, 2002

Project No. 24185

Mr. Gerald J. Thibeault, Executive Officer
California Regional Water Quality Control Board
Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3339

via Certified Mail

**Subject: Workplan for Initial Perchlorate Investigation
Astro Pyrotechnics
2298 West Stonehurst Drive
Rialto, California**

Dear Mr. Thibeault:

In response to your Directive, dated November 6, 2002 for an investigation at the Astro Pyrotechnics facility, please find enclosed a *Workplan for Initial Perchlorate Investigation* proposed to be conducted at the above referenced site.

The Directive requested soil and groundwater investigations be conducted at the Astro Pyrotechnics facility located at 2298 West Stonehurst Drive in the City of Rialto, California.

If you have any questions, please contact the undersigned at (909) 798-9522.

Sincerely,

KLEINFELDER, INC.

Rose Ballance, R.G.
Senior Project Manager

Richard L. Orr, R.G.
Senior Geologist

enclosure

cc: Mr. Gary Brown, Astro Pyrotechnics (w/enclosure)
Mr. James Good, Gresham, Savage, Nolan & Tilden, LLP (w/enclosure)

24185.001/RDL2R478

Copyright 2002 Kleinfelder, Inc.

December 9, 2002

**WORKPLAN FOR
INITIAL PERCHLORATE INVESTIGATION**

**Astro Pyrotechnics
2298 West Stonehurst Drive
Rialto, California**

Prepared for:

**Astro Pyrotechnics
P. O. Box 2329
Rialto, CA 92337**

Prepared by:

**Kleinfelder, Inc.
1940 Orange Tree Lane, Suite 100
Redlands, CA. 92374**

Kleinfelder Project 24185

December 9, 2002

Work Plan for Initial Perchlorate Investigation
Astro Pyrotechnics
2298 West Stonehurst Drive
Rialto, California


Prepared for:

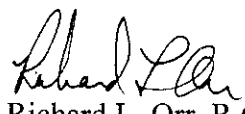
ASTRO PYROTECHNICS
P. O. Box 2329
Rialto, CA 92377

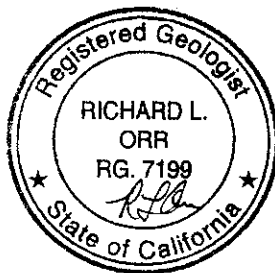
Contact: Mr. Gary Brown
Telephone: (909) 874-1644

Kleinfelder Project No.: 24185

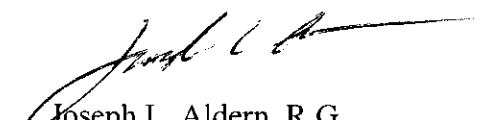
Prepared by:

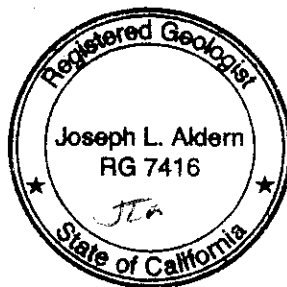

Rose Ballance, R.G.
Senior Project Manager


Richard L. Orr, R.G.
Senior Geologist



Reviewed by:


Joseph L. Aldern, R.G.
Environmental Services Manager



KLEINFELDER, INC.
1940 Orange Tree Lane, Suite 100
Redlands, CA 92374

December 5, 2002

**Work Plan for Initial Perchlorate Investigation
Astro Pyrotechnics
2298 West Stonehurst
Rialto, California
Kleinfelder Project No.: 24185**

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FIGURES

- Figure 1** **Site Vicinity Map**
Figure 2 **Site Location Map**
Figure 3 **Site Plan – Astro Pyrotechnics**

Work Plan for Initial Perchlorate Investigation
Astro Pyrotechnics
2298 West Stonehurst Drive
Rialto, California

1.0 INTRODUCTION

1.1 General

This Work Plan was prepared for Astro Pyrotechnics in response to a *Directive to Submit a Work Plan and Conduct Perchlorate Investigation* from the California Regional Water Quality Control Board (CRWQCB), dated November 7, 2002. In this directive, the CRWQCB identified the following as their concerns:

- ◆ Astro Pyrotechnics manufactured and stored firework products containing perchlorate salts.
- ◆ Astro Pyrotechnics has stored and burned waste on-site.

1.2 Site Description

The Astro Pyrotechnics facility is located in the northern portion of the City of Rialto, California (Figure 1). The Astro Pyrotechnics facility is located at 2298 West Stonehurst Drive on the northeast corner of Stonehurst Drive and the extension of Alder Avenue.

The Astro Pyrotechnics facility occupies approximately five acres on leased land (Figure 2) on the northeast corner of Stonehurst Drive and the extension of Alder Avenue (Figure 3). The site is located in the southwest quarter of the northwest quarter of Section 28, Township 1 North, Range 5 West, SB B&M. The facility manufactures theatrical 1.4G fireworks and articles pyrotechnic for shipment to off-site licensed professional customers. The facility receives raw materials (including chemicals and paper goods) and assembles various types of fireworks inside small work buildings. The site consists of 25 buildings and storage units. The facility office is located on the southwest corner of the site in building No. 25 near the main entrance. The raw chemicals are stored in bulk in units Nos. 6, 12, and 13a through e, and laboratory chemicals are stored in unit No. 11. Various other buildings are used for manufacture and storage of firework products. Four of the work buildings (building Nos. 1, 8, 10, and 15) have concrete liquid collector pads adjacent to the building for collecting wastes generated during the manufacturing process. The accumulated liquids and sludge in these pads are regularly pumped off into plastic DOT-approved drums for off-site shipment and disposal.

1.3 Site Background and Previous Studies

The Astro Pyrotechnics facility is located on leased land and consists of approximately five acres. The site is located within a larger area formerly occupied by the RASP of the U. S. Navy. The Astro Pyrotechnics facility was formerly owned by Trojan Fireworks. In 1988, Pyro Spectaculars bought the assets of Astro Pyrotechnics and continued operations at the lease property on Stonehurst Drive. The site is bounded by the San Bernardino County Mid-Valley Landfill to the west and southwest and the former RASP Storage Bunkers (now Robertson's sand and gravel operation) to the north.

2.0 SITE GEOLOGY/HYDROGEOLOGY

2.1 Site Geology

The subject site is situated at an elevation of approximately 1,580 feet above mean sea level (msl) on a southeastward sloping alluvial surface of the Lytle Creek alluvial fan (Figure 1). The Lytle Creek alluvial fan is developed on the southeastern flank of the San Gabriel Mountains originating from the mouth of Lytle Canyon approximately three miles northwest of the subject site. Geologic units that underlie the site are mapped as young (Holocene) alluvial fan deposits. The alluvial sediment range from fine-grained silts and clays to sands and coarse cobbles and boulders, with the majority of materials derived from the San Gabriel Mountains to the north.

The site lies in the northern portion of the Peninsular Ranges geomorphic province near the boundary with the Transverse Ranges geomorphic province, the boundary of which is represented by the San Jacinto Fault located approximately 1.5-miles to the northeast of the Astro Pyrotechnics facility. The site lies above a large alluvial basin developed on the tectonically down-dropped Perris Block of the Peninsular Ranges.

The area is tectonically active with major fault zones represented by the San Andreas Fault, the San Jacinto Fault, Cucamonga Fault and the Rialto-Colton Fault. The subject sites are located between the buried traces of the San Jacinto and the Rialto-Colton faults, which make up the boundaries of the Rialto-Colton groundwater basin.

2.2 Site Hydrogeology

The Rialto-Colton Groundwater Basin is bounded by the Santa Ana River to the southeast, the San Jacinto Fault to the northeast, the Rialto-Colton Fault on the southwest, and a leaky boundary (termed Barrier J) to the northwest. Basin recharge is considered to occur as leakage through Barrier J and to some extent along the northern portion of the San Jacinto Fault (Woelfenden, USGS, 1998).

Groundwater within the Rialto-Colton Basin occurs in alluvial sediments at depths ranging from 100 feet below ground surface (bgs) to greater than 400 feet bgs. Groundwater elevation data, based on USGS investigations, suggest the groundwater flow direction in the vicinity of the subject site is towards the southeast at gradients of 0.005 to 0.006 feet vertical per foot horizontal (ft./ft.).

3.0 PROPOSED SCOPE OF WORK

3.1 Historical Review

Additional historical review of the subject site will be performed to further evaluate past occupancy and uses. This review will include historical topographic maps, aerial photographs, building permits, property ownership records and other historical documents. The review will focus on information related to past and current site features, areas of waste disposal or other land use features suggestive of disposal or use that may indicate areas of concern related to releases of perchlorate materials and correlation with existing site features.

3.2 Process and Chemistry Review

Kleinfelder will continue to review facility operations, process flow, chemical use and waste streams at the Astro Pyrotechnics facility. These reviews will be used to develop additional understanding of process activities that could result in releases of chemicals to the environment, evaluating potential areas of investigation, physiochemical characteristics of associated chemicals, and potential fate and transport as they relate to potential releases of perchlorate.

3.3 Soil Investigation

Based on the information reviewed to date, interviews and discussions with representatives of Astro Pyrotechnics, and a site reconnaissance, an initial soil evaluation of areas of potential investigation is proposed. This initial investigation will consist of trench excavations to collect soil samples for analysis of perchlorate.

3.3.1 Trench Excavations

Trench excavations using a wheel-mounted backhoe will be dug in areas of investigation (Figure 3). A total of five exploratory trenches are proposed to be excavated in the following locations:

- ◆ One trench in front of the oxidizer storage shed (unit No. 13c).
- ◆ Four trenches, consisting of one trench by each of four liquid collector pads near buildings Nos. 1, 8, 10, and 15.

The trenches at the Astro Pyrotechnics facility (Figure 3) will be excavated to total depths of 5 feet bgs. Soil samples will be collected at the surface, and at 2 and 5 feet bgs.

The trenches will be backfilled to original grade with the excavated soils and compacted by tamping with the backhoe bucket and by wheel rolling the surface with the backhoe equipment.

3.3.2 Site Clearance

Prior to trenching, a site visit will be conducted to mark trench locations to determine accessibility and identify utility hazards. Underground Service Alert (USA) will be notified to identify potential subsurface public utility hazards. A geophysical survey of the trench locations will be performed to identify private utilities and underground obstructions.

3.3.4 Sample Collection, Handling, and Analysis

Soil samples from the trenches will be collected from the shallow excavation or from the backhoe bucket using a clean, dry stainless steel trowel and transferred to clean laboratory supplied 8-ounce glass jars or 2-inch by 6-inch brass sleeves. The sample containers will be sealed, labeled, placed on ice and transported to a State-certified laboratory.

Sample handling and Chain-of-Custody procedures will be conducted in accordance with U.S. EPA SW-846 protocol. Samples will be analyzed for perchlorate by U.S. EPA Method 314.0.

3.3.5 Decontamination Procedures

Decontamination of trowels and sampling equipment will take place before each sample is collected. The sampling equipment will be scrubbed in a detergent solution, rinsed with tap water, and final rinsed with distilled or de-ionized water and dried prior to use.

3.3.6 Waste Disposal

Wash water will be placed in Department of Transportation (DOT) approved 55-gallon drums and temporarily stored on-site pending results of laboratory analyses.

Results of the site assessment will be presented in a report for agency submittal.

3.4 Groundwater Investigation

3.4.1 Hydrogeologic Review

A review of published and public information documents will be performed to evaluate data on depth to groundwater, groundwater flow directions, aquifer characteristics, and

groundwater quality. Previous data of the perchlorate concentrations and distributions will be compiled and evaluated.

Based on the results of the soil investigation proposed herein and evaluation of data generated by concurrent investigations proposed by other parties, an evaluation of appropriateness of further investigation and/or monitoring and technical recommendations will be made.

3.4.2 Current Well Data

Municipal water supply wells owned by the West San Bernardino County Water District (WSBCWD) and the City of Rialto are present within 1.5-mile of the Astro Pyrotechnics site. These wells are located within and outside areas of perchlorate impacts. Kleinfelder will review available information obtained from these water purveyors to develop hydrological information relative to groundwater conditions in the vicinity of the site.

The County of San Bernardino has installed numerous wells related to various monitoring and investigative requirements associated with the Mid-Valley Landfill and its expansion. Several of these wells are located near the former Storage Bunkers and the Astro Pyrotechnics facility. Kleinfelder will continue to review this data to develop information on groundwater conditions in the vicinity of the Astro Pyrotechnics facility.

3.4.3 Proposed Related Groundwater Investigations

Additional groundwater monitoring wells have been proposed by the County of San Bernardino to further investigate perchlorate impacts in the vicinity of the Mid-Valley Landfill. Astro Pyrotechnics would like to review the results of this data to assist in evaluating the need for and nature of additional investigations.

4.0 SITE SAFETY

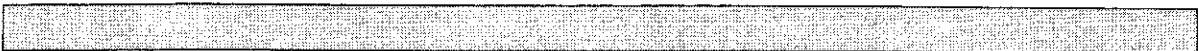
Prior to commencement of field activities, Kleinfelder will prepare a site-specific health and safety plan and a copy will be maintained on-site during drilling and trenching operations. Kleinfelder will coordinate with Astro Pyrotechnics in the development of this plan to accommodate health and safety issues specific to fireworks storage and manufacturing facilities. OSHA hazardous waste operations training will be required of all Kleinfelder personnel and subcontractors engaged in trenching and drilling activities.

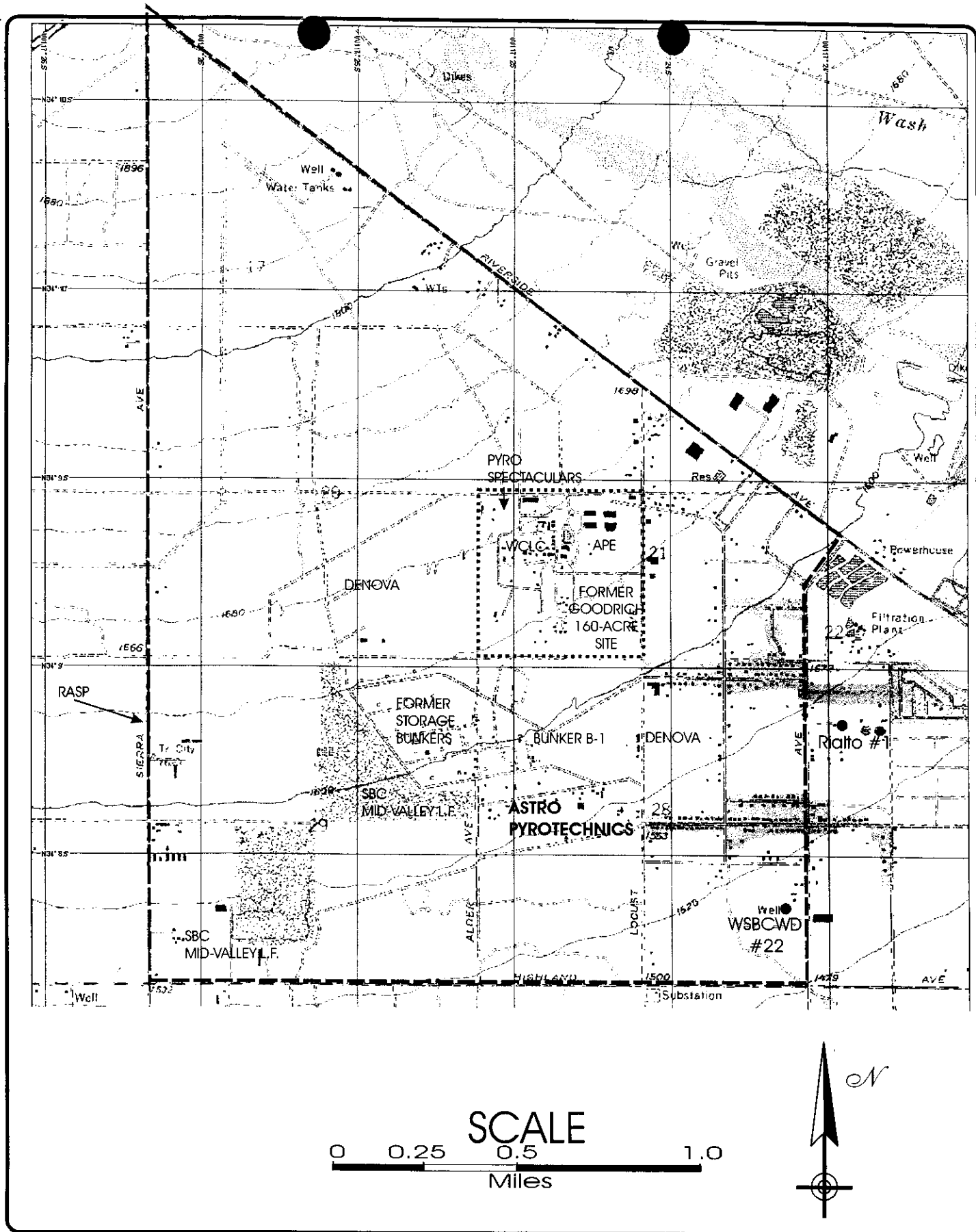
5.0 LIMITATIONS

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FIGURES







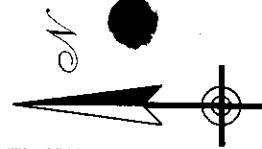
KLEINFELDER
1940 Orange Tree Lane
Redlands, CA 92374

ASTRO PYROTECHNICS
Project: 24185.001

File Name: ASTRO-VIN-MAP
Date: 12/09/02

SITE VICINITY MAP
Astro Pyrotechnics
2298 West Stonehurst Drive
Rialto, CA 92377

FIGURE
2



SITE PLAN - ASTRO PYROTECHNICS
2298 W. Stonehurst Drive
Rialto, CA 92377

ASTRO PYROTECHNICS
Project: 24185.001

File Name: AP Plan
Date: December 2002

KLEINFELDER
1940 Orange Tree Lane
Redlands, CA 92374

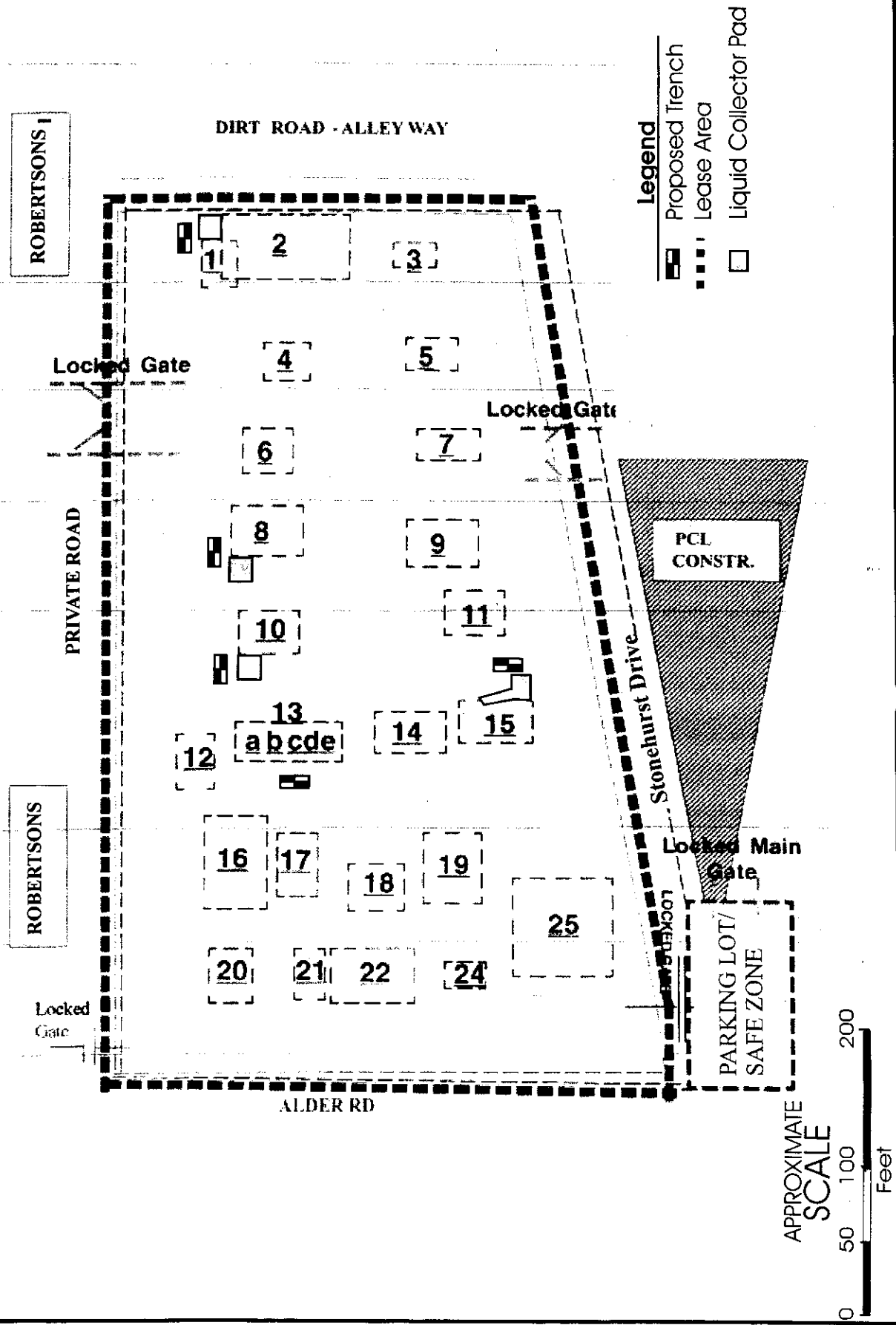


EXHIBIT 17



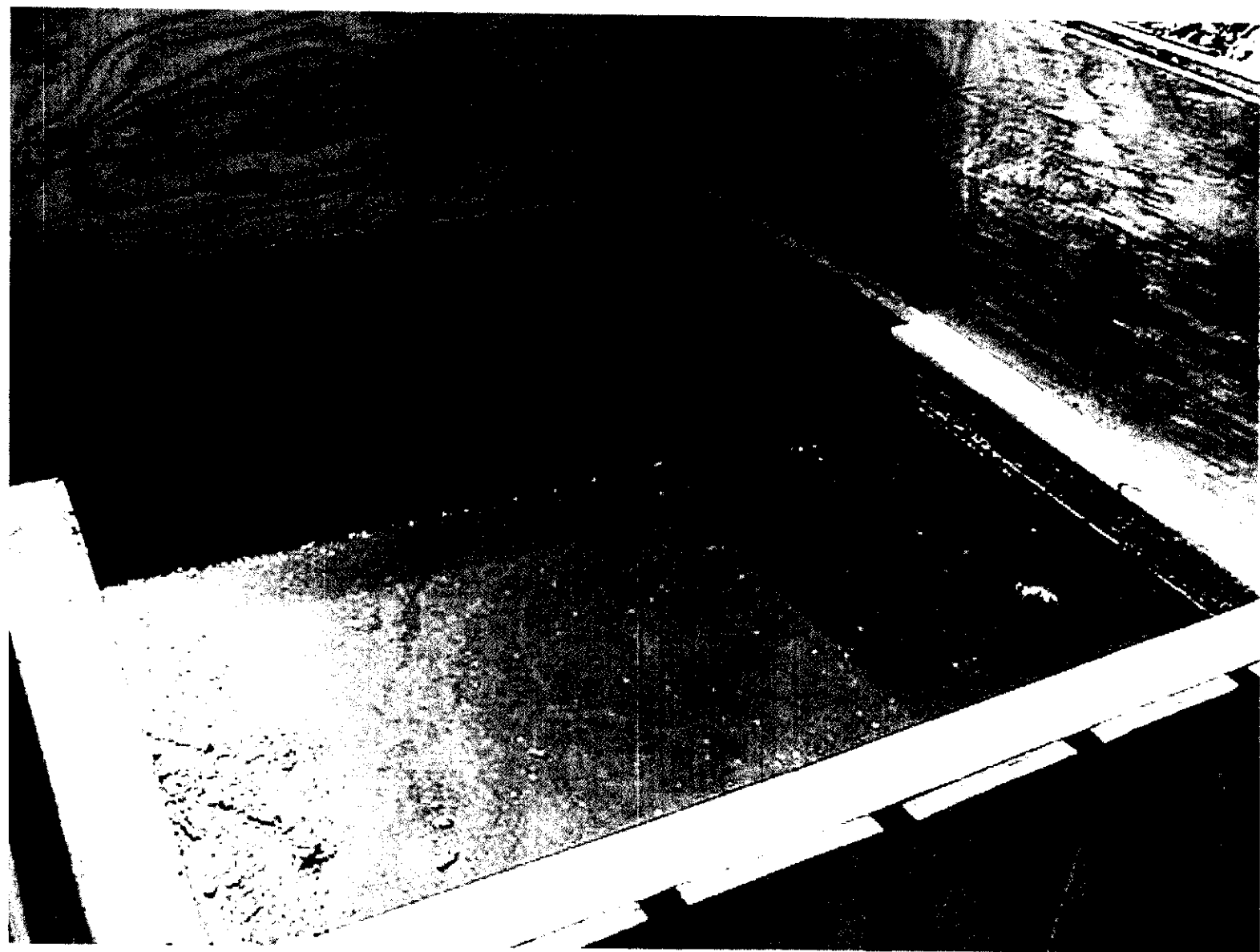


EXHIBIT 18

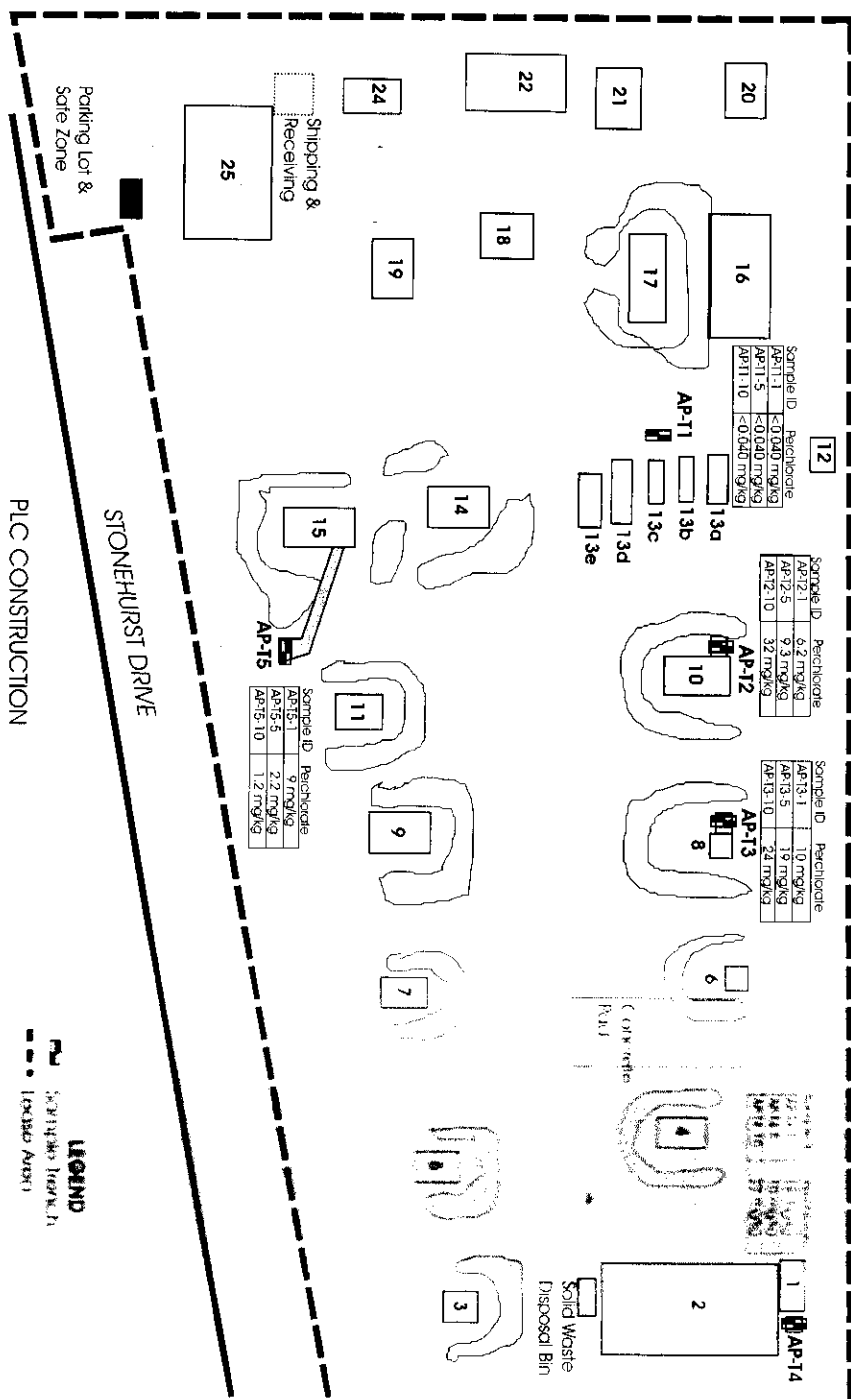
Table 1. Soil Analytical Data
Perchlorate
Astro Pyrotechnics

Sample Number	Date Sampled	Depth (feet bgs)	Perchlorate (mg/kg)
AP-T1-1	11/06/03	1	ND<0.040
AP-T1-5	11/06/03	5	ND<0.040
AP-T1-10	11/06/03	10	ND<0.040
AP-T2-1	11/07/03	1	6.2
AP-T2-5	11/07/03	5	9.3
AP-T2-10	11/07/03	10	32
AP-T3-1	11/07/03	1	10
AP-T3-5	11/07/03	5	19
AP-T3-10	11/07/03	10	24
AP-T4-1	11/07/03	1	18
AP-T4-5	11/07/03	5	10
AP-T4-10	11/07/03	10	22
AP-T5-1	11/06/03	1	9
AP-T5-5	11/06/03	5	2.2
AP-T5-10	11/06/03	10	1.2
<p>Notes:</p> <p>Bold result indicates compound was detected above the laboratory reporting limit.</p> <p>Samples analyzed for perchlorate by EPA Method 314.0 Modified.</p> <p>bgs = Below ground surface.</p> <p>NA = Not analyzed.</p> <p>mg/kg = milligrams per kilogram.</p>			

ROBERTSON'S SAND & GRAVEL PLANT

MIDVALLEY LANDFILL

ALDER ROAD EXTENSION



1. Solid Waste Disposal Bin
2. Solid Waste Disposal Bin
3. Solid Waste Disposal Bin
4. Solid Waste Disposal Bin
5. Solid Waste Disposal Bin
6. Solid Waste Disposal Bin
7. Solid Waste Disposal Bin
8. Solid Waste Disposal Bin
9. Solid Waste Disposal Bin
10. Solid Waste Disposal Bin
11. Solid Waste Disposal Bin
12. Solid Waste Disposal Bin
13. Solid Waste Disposal Bin
14. Solid Waste Disposal Bin
15. Solid Waste Disposal Bin
16. Solid Waste Disposal Bin
17. Solid Waste Disposal Bin
18. Solid Waste Disposal Bin
19. Solid Waste Disposal Bin
20. Solid Waste Disposal Bin
21. Solid Waste Disposal Bin
22. Solid Waste Disposal Bin
23. Solid Waste Disposal Bin
24. Solid Waste Disposal Bin
25. Solid Waste Disposal Bin

KLEINFELDER
1940 Orange Tree Lane
Redlands, CA 92374

ASTRO PYROTECHNICS
Project: 24186.004
File Name: AP Plan
Date: Dec. 2008

SITE PLAN - ASTRO PYROTECHNICS
2298 W. Stonehurst Drive
Rialto, CA 92377

FIGURE 3

EXHIBIT 19



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (909) 782-4130 - FAX (909) 781-6288

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.

July 18, 2003

Mr. Thomas O. Peters
15709 Birchwood Street
La Mirada, California 90638

DIRECTIVE TO SUBMIT A WORK PLAN AND CONDUCT A PERCHLORATE INVESTIGATION IN THE VICINITY OF 2298 WEST STONEHURST, CITY OF RIALTO, SAN BERNARDINO COUNTY, CALIFORNIA

Dear Mr. Peters:

Perchlorate has been detected in municipal water supply wells in the Rialto, Colton, and Chino Groundwater Subbasins in Southern California. These water supply wells are located downgradient of the Astro Pyrotechnic facility (formerly Trojan Fireworks Company). According to records from the San Bernardino County Tax Assessor's office, you are and have been the owner of the property located at 2298 West Stonehurst, Rialto, California, since the mid-1970s.

Information provided by local businesses in response to subpoenas issued by this agency indicates that: (1) You were the legal owner of Trojan Fireworks Company in 1987; (2) Trojan Fireworks Company was located at 2298 West Stonehurst; (3) Trojan Fireworks Company generated wastes from the manufacture of fireworks; (4) upon the closure of Trojan Fireworks Company you leased and continue to lease 2298 West Stonehurst to Astro Pyrotechnics; and (5) you are aware that Astro Pyrotechnics is in the pyrotechnics business and uses the property to manufacture, handle, test, burn and store fireworks. Further, the laboratory results from the analyses of soil samples that were collected from several locations on your property as part of a Preliminary Environmental Assessment performed in February and March 2003 indicate that perchlorate is present in concentrations as high as 55,000 parts per billion in the soil at the site.

This letter sets forth a requirement under California Water Code Section 13267 that you conduct an investigation to define the lateral and vertical extent of perchlorate in soil and groundwater in the vicinity of 2298 West Stonehurst Avenue, Rialto, California. As required by that provision, this letter contains an explanation of the need for the investigation, and cites evidence supporting the requirement.

California Environmental Protection Agency



Recycled Paper

July 18, 2003

Background

Perchlorate contamination was first detected in groundwater in the Rialto, Colton and Chino Groundwater Subbasins in 1997. At that time, the California Department of Health Services (DHS) Action Level (AL) for perchlorate in drinking water was 18 parts per billion (ppb). Two wells had perchlorate levels exceeding 18 ppb and were shut down. In January 2002, the DHS lowered the AL to 4 ppb. In response to the reduced AL for perchlorate, the local water purveyors in the Rialto and Colton Groundwater Subbasins restricted or eliminated the use of additional production wells with perchlorate concentrations that exceeded 4 ppb. Between 1997 and the present, various suspected perchlorate dischargers, including former and current occupants of your property at 2298 West Stonehurst, have been identified.

Requirement for an Investigation

The Regional Board has directed staff to issue individual letters under California Water Code Section 13267 to suspected perchlorate dischargers in the Rialto and Colton Groundwater Subbasins. Several letters similar to this one have already been issued over the last several months to other suspected dischargers and to the owners of affected properties. The Board also expressed a strong desire that suspected perchlorate dischargers work with the local water purveyors to provide a supply of replacement water during the loss or limited use of their production wells.

The Need for the Investigation

The Santa Ana Regional Water Quality Control Board is charged with the protection of water quality in this Region. We have been working actively with the water surveyors for several years to identify the extent and address the impact of perchlorate contamination on water resources in the Rialto, Colton and Chino Groundwater Subbasins. The water purveyors whose wells have been contaminated with perchlorate now face a state of emergency, and may not be able to provide an adequate water supply to their customers. It is urgent that the sources of the contamination be identified, and the magnitude of the perchlorate plume defined.

Evidence Supporting the Need for the Investigation

Enclosed are the following documents:

1. Well Location Map, showing perchlorate contamination in municipal water supply wells in the vicinity of Rialto, Colton and Fontana, California.
2. Property Ownership Records for 2298 West Stonehurst: Parcel 1133-071-005, Parcel 1133-071-006, and Parcel 1133-071-007 (obtained from San Bernardino Tax Assessor's Internet Site).
3. Hazardous Waste Generator and Hazardous Waste Handler Permits and County of San Bernardino Hazardous Waste Generator Inspection Reports (listing Ammonium Perchlorate) issued to Astro Pyrotechnics. Hazardous

California Environmental Protection Agency



Recycled Paper

July 18, 2003

Waste Manifests (listing Potassium Perchlorate), an Application and Permit to Burn issued by Fire Protection Agency and South Coast Air Quality Management District to Astro Pyrotechnics, and a Plot Plan identifying the facility.

4. Hazardous Waste Generator Permits for Trojan Fireworks Company, one of which identifies the legal owner as Thomas O. Peters. County of San Bernardino Hazardous Waste Generator Survey identifying Trojan Fireworks Company. Application for Conditional Development from Trojan Fireworks Company to the City of Rialto for the purpose of manufacture of commercial fireworks. Newspaper article about a fireworks explosion at the Trojan Fireworks Company facility.
5. Excerpts, including positive results for perchlorate testing of soil, from "Preliminary Environmental Site Assessment and Limited Soil Sampling – 2298 West Stonehurst Drive, Rialto, California" (2003).

The evidence indicates that Astro Pyrotechnics manufactures, handles, tests, burns, and stores fireworks containing perchlorate salts at the property located at 2298 West Stonehurst, Rialto, California, as did its predecessor Trojan Fireworks Company. Disposal of perchlorate waste to concrete "pads" has been a common practice at the Astro Pyrotechnics site since 1997 or earlier. In addition, City of Rialto records indicate that on-site disposal systems (septic tanks) have been used at the site since it was first occupied for industrial use. Disposal of waste, including perchlorate salts, into septic systems is suspected to have occurred during occupancy of the Stonehurst Avenue property by Astro Pyrotechnics, Trojan Fireworks and other parties since the mid-1970s. Soil analytical results indicate perchlorate is present in the soil at Astro Pyrotechnics. Groundwater analytical results indicate that perchlorate concentrations exceed the AL in municipal water supply wells that are located downgradient of the Astro Pyrotechnics facility.

Based on the evidence, Astro Pyrotechnics and its predecessors are suspected of having discharged perchlorate on the property. As the owner of the real property at 2298 Stonehurst, and of the now defunct Trojan Fireworks Company, you bear legal liability under California law for the discharges that have adversely affected water quality. This evidence supports the requirement for an investigation as defined in Section 13267(b)(1) of the California Water Code.

Deadlines

1. A work plan for a soil and groundwater investigation for perchlorate in the vicinity of the property at 2298 West Stonehurst, Rialto must be submitted to Board staff no later than August 29, 2003. The proposed tasks and scope of work shall be coordinated with the investigation activities that are already in progress by the

California Environmental Protection Agency



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July 18, 2003

current tenants of 2298 West Stonehurst, Astro Pyrotechnics. The work plan must include a detailed time schedule for the tasks to be conducted. The work plan and time schedule will be subject to my approval.

2. The investigation must commence within 30 days of my approval of the work plan.
3. All analytical results, groundwater measurements, and field information are to be submitted by fax to Board staff within 24 hours of being generated, throughout all stages of work, and during all phases of the investigation. The office fax number to be used for your data transmittals is (909) 781-6288.
4. The final report for the soil and groundwater investigation, including (at a minimum) the borehole logs, well construction details, groundwater elevation data, and soil and groundwater analytical results, must be submitted to Board staff within 30 days of completing the field work.

Failure to submit the required information by the specified deadline may subject you to administrative civil liability in the amount of up to \$1,000 per day, pursuant to Section 13268(a) and (b) of the California Water Code.

Finally, please be aware that the Board has directed staff to explore alternative ways of solving the water supply problem in the Rialto, Colton and Chino Groundwater Subbasins. In addition, consistent with the Board's direction, we have issued and will continue to issue similar directives to a number of other suspected dischargers who have operated in the North Rialto area. Thus, there may be opportunities to cooperate with other entities to implement joint investigations or to propose solutions that would address the water supply problem. In fact, we believe it would be both scientifically effective and economically efficient for the suspected dischargers subject to these directives to jointly pursue the investigation and to explore water supply replacement options. Further, consistent with the Board's direction, we recommend that the joint efforts of the suspected dischargers consider both the characterization of the plume and initiation of water supply replacement or treatment strategies. Board staff has experience managing similar joint investigations and cooperative solutions and we are available to discuss these further with you. If you are interested in discussing alternative options for complying with this directive, please contact us to arrange a meeting or teleconference.

Recovery of Regional Board Expenses

California Water Code Section 13365 addresses the billing process for the Regional Board to recover reasonable expenses for overseeing investigation of illegal discharges, contaminated properties, and other unregulated releases that may adversely affect the State's waters. It is the Regional Board's intent to recover such costs for regulatory oversight work conducted in accordance with this order. A description of the Board's



July 18, 2003

procedure for cost recovery for regulatory oversight of investigations and cleanups will be sent to you under separate cover.

If you have any questions about this letter, or if you would like to arrange a meeting or teleconference, please contact Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,



for Gerard J. Thibeault
Executive Officer

Enclosures:

1. Well Location Map, showing perchlorate contamination in municipal water supply wells in the vicinity of Rialto, Colton and Fontana, California.
2. Property Ownership Records for 2298 West Stonehurst: Parcel 1133-071-005, Parcel 1133-071-006, and Parcel 1133-071-007 (obtained from San Bernardino Tax Assessor's Internet Site).
3. Hazardous Waste Generator and Hazardous Waste Handler Permits and County of San Bernardino Hazardous Waste Generator Inspection Reports (listing Ammonium Perchlorate) issued to Astro-Pyrotechnics. Hazardous Waste Manifests (listing Potassium Perchlorate), an Application and Permit to Burn issued by Fire Protection Agency and South Coast Air Quality Management District to Astro-Pyrotechnic, and a Plot Plan identifying the facility.
4. Hazardous Waste Generator Permits for Trojan Fireworks Company one of which lists the legal owner as Thomas O. Peters. County of San Bernardino Hazardous Waste Generator Survey identifying Trojan Fireworks Company. Application for Conditional Development from Trojan Fireworks Company to the City of Rialto for the purpose of manufacture of commercial fireworks. Newspaper article about a fireworks explosion at the Trojan Fireworks Company facility.
5. Excerpts from "Preliminary Environmental Site Assessment and Limited soil Sampling - 2298 West Stonehurst Drive, Rialto, California" (2003)
6. Mailing List



July 18, 2003

cc w/out enclosures:

Regional Board members

Jorge Leon, Office of Chief Counsel, SWRCB

Norman S. Berliner, Esq.

James E. Good, Gresham, Savage, Nolan & Tilden, LLP

Gary Brown, Pyro Spectaculars/Astro Pyrotechnics

Inland Empire Perchlorate Regulatory Task Force members (see mailing list)

AES/Data/SLIC/2001-03 Rialto perchlorate/13267/Thomas O. Peters



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Rialto, CA 92736

Tim Mim Mack
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Gerald J. Black
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Ventura, CA 93003

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Drinking Water Field Operations Branch
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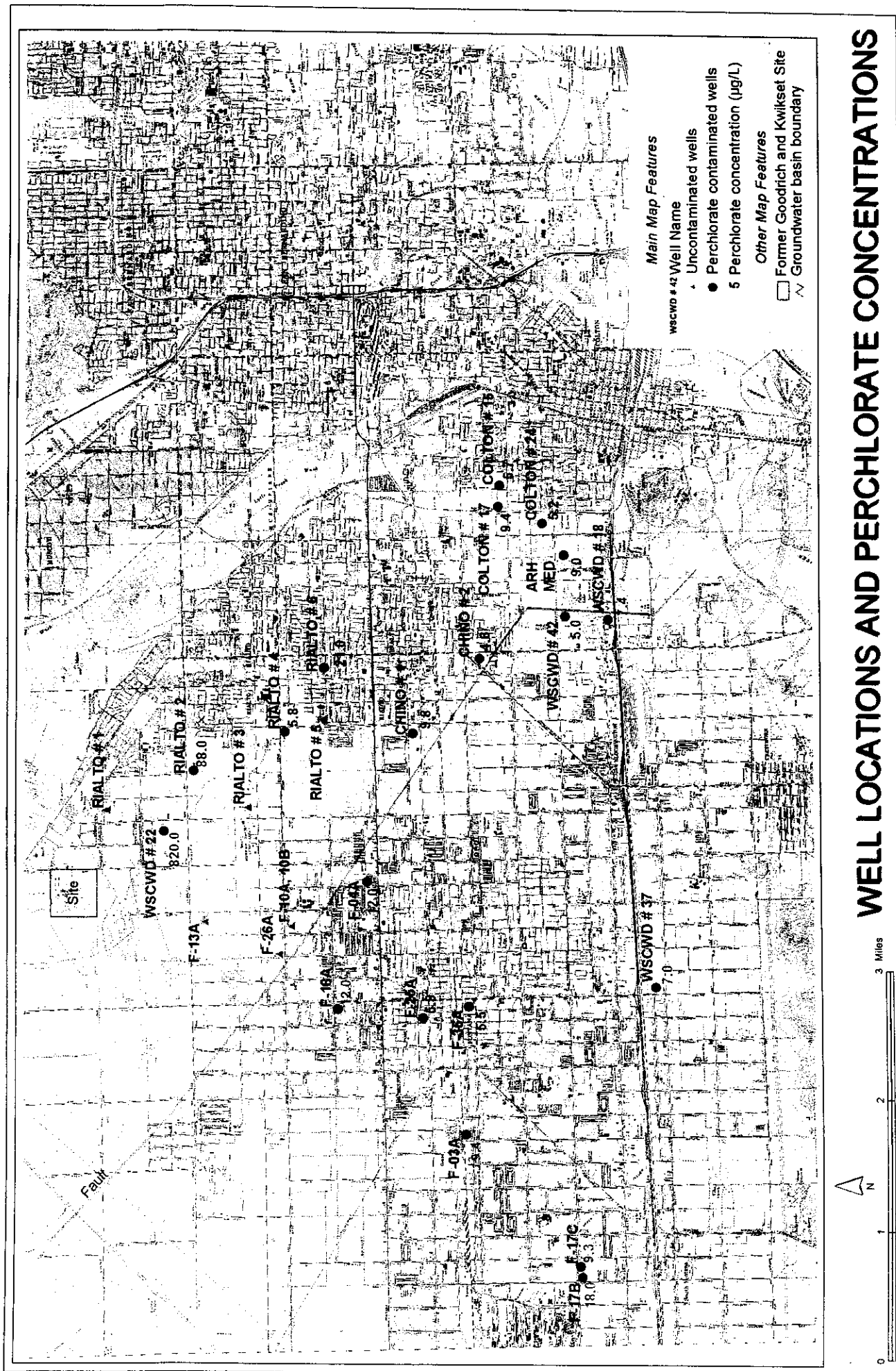
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Jorge Leon
California State Water Resources Control Board
Legal Division
1001 "I" Street, 22nd Floor
Sacramento, CA 95814

Eric Fraser
City of Colton
Public Utilities Department
650 N. La Cadena Drive
Colton, CA 92324-2897

ENCLOSURE 1



ENCLOSURE 2

What do you know about the property?

(Please enter **one** type of information below and press the *Search* button).

The **Parcel Number** 13 characters

OR

The **Property Address**

Street Number 2298 digits only

Street Name West Stonehurst full street name

Street Tag Optional; e.g. Ave, St, Ln

OR

Property ID Number

(for Boat, Aircraft
or Mobile Home)

Search the Database

Clear All Fields

New Home Owners - To Estimate your Tax Bills [Click Here](#), or for general information [Click Here](#).

[Property Tax Search](#) [Property Data](#) [Owner History](#) [Current Taxes](#) [Defaulted Bills](#) [Other \(Past\) Bills](#)

Property Information For Parcel 1133-071-05-0000

Type of Property: UNKNOWN

Legal Description

Tract Number	Lot Number	Block/Unit
	00000	000
PTN S 660 FT NW 1/4 SEC 28 TP 1N R 5W COM AT PT IN S LI SD NW 1/4 DIST N 89 DEG 51 MIN W 1319.36 FT THEREON FROM CEN SD SEC 28 TH ALG A LI BEARING N 0 DEG 32 MIN W TO A PT THAT BEARS S 0 DEG 32 MIN E 150.32 FT FROM N LI SD S 660 FT TH S 79 DEG 37 MIN W TO A PT IN W LI SD SEC 28 FOR TRUE PT BEG TH N 0 DEG 37 MIN 45 SECONDS W 390 FT TO NW COR S 660 FT NW 1/4 SD SEC TH S 89 DEG 51 MIN E 150 FT ALG SD N LI TH S 0 DEG 37 MIN 45 SECONDS E TO PT IN LI THAT BEARS N 79 DEG 37 MIN E FROM TRUE PT BEG TH S 79 DEG 37 MIN W TO TRUE PT BEG 1.21 AC M/L		

Address Information

Situs Address	Protected per CA. Govt. Code Sect. 6254.21
Billing Address	Protected per CA. Govt. Code Sect. 6254.21
As Of	1996/09/27

Present Owner Information

Name	% Own	Relationship	Document No.	Recording Date	Acquire Date	Roll Year
PETERS, THOMAS O TR		TRUST REVOCABLE	9627914000000	1996/08/01	1975/01/01	1975

[Property Tax Search](#)
[Property Data](#)
[Owner History](#)
[Current Taxes](#)
[Defaulted Bills](#)
[Other \(Past\) Bills](#)

Property Information For Parcel 1133-071-06-0000

Type of Property: UNKNOWN

Legal Description

Tract Number	Lot Number	Block/Unit
	00000	000
PTN S 660 FT NW 1/4 SEC 28 TP 1N R 5W COM AT NW COR S 660 FT SD SEC TH S 89 DEG 51 MIN E 150 FT ALG N LI SD S 660 FT TO TRUE PT BEG TH S 0 DEG 32 MIN E 360 FT TH N 79 DEG 37 MIN E TO PT THAT LIES PARALLEL 300 FT E OF W LI SD SEC 28 TH N 0 DEG 32 MIN W 300 FT TO N LI SD S 660 FT SD SEC TH S 89 DEG 51 MIN W 150 FT TO TRUE PT BEG 1.20 AC M/L		

Address Information

Situs Address	
Billing Address	<i>Protected per CA. Govt. Code Sect. 6254.21</i>
As Of	1996/09/27

Present Owner Information

Name	% Own	Relationship	Document No.	Recording Date	Acquire Date	Roll Year
PETERS, THOMAS O TR		TRUST REVOCABLE	9627914100000	1996/08/01	1974/09/16	1997

[Property Tax Search](#)
[Property Data](#)
[Owner History](#)
[Current Taxes](#)
[Defaulted Bills](#)
[Other \(Past\) Bills](#)

Property Information For Parcel 1133-071-07-0000

Type of Property: UNKNOWN

Legal Description

Tract Number	Lot Number	Block/Unit
	00000	000
PTN S 660 FT NW 1/4 SEC 28 TP 1N R 5W COM AT NW COR SD S 660 FT TH E ALG N LI SD S 660 FT DIST OF 300 FT TO TRUE PT BEG TH CONT E TO NW COR OF PROPERTY CONVEYED TO JAMES G JEFFERYS AND WIFE BY DEED RECD DEC 31, 1954 BK 3537 PG 326 OFFICIAL RECORDS TH S ALG W LI SD PROPERTY TO SW COR THEREOF TH S 79 DEG 37 MIN W TO PT WHICH IS N 79 DEG 37 MIN E 300 FT FROM W LI SD SEC TH N 330 FT M/L TO TRUE PT BEG 2.62 AC M/L		

Address Information

Situs Address	Protected per CA. Govt. Code Sect. 6254.21
Billing Address	Protected per CA. Govt. Code Sect. 6254.21
As Of	1996/09/27

Present Owner Information

Name	% Own	Relationship	Document No.	Recording Date	Acquire Date	Roll Year
PETERS, THOMAS O TR		TRUST REVOCABLE	9627913900000	1996/08/01	1975/01/01	1975

[Property Tax Search](#)
[Property Data](#)
[Owner History](#)
[Current Taxes](#)
[Defaulted Bills](#)
[Other \(Past\) Bills](#)

ENCLOSURE 3



ENVIRONMENTAL HEALTH SERVICES DEPARTMENT

COUNTY OF SAN BERNARDINO, CALIFORNIA

THIS PERMIT EXPIRES:
05/31/90

ASTRO PYROTECHNICS
2298 W STONEHURST
RIALTO, CA 92376
EST - 86008402 PERMIT - 8710010013

PERMIT

NON-TRANSFERABLE

This permit may be suspended or revoked by the health officer for cause. This permit is granted on condition that the person named in the permit will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California and the County of San Bernardino pertaining to the above mentioned business. Penalty fees are assessed on permits renewed 30 days after expiration date indicated above, or for failure to obtain new permit in case of transfer of ownership.

TYPE OF PERMIT - HAZARDOUS WASTE GENERATOR

FEE PAID \$325.00

OBA: ASTRO PYROTECHNICS
2298 W STONEHURST
RIALTO, CA 92376

NR EMPL - 34

04-1004-631 REV. 3/85

PERMIT DOES NOT IMPLY APPROVAL

POST IN A
CONSPICUOUS PLACE

Director
ENVIRONMENTAL HEALTH SERVICES

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ENVIRONMENTAL HEALTH SERVICES DEPARTMENT

COUNTY OF SAN BERNARDINO, CALIFORNIA

ASTRO PYROTECHNICS
2298 W. STONEHURST
REALTO, CA 92376

EST - 86008402 PERMIT - 8701260283

PERMIT NON-TRANSFERABLE

THIS PERMIT EXPIRES:
05/30/90

This permit may be suspended or revoked by the health officer for cause. This permit is granted on condition that the person named in the permit will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California and the County of San Bernardino pertaining to the above mentioned business. Penalty fees are assessed on permits renewed 30 days after expiration date indicated above, or for failure to obtain new permit in case of transfer of ownership.

TYPE OF PERMIT - HAZARDOUS MATERIAL HANDLER

FEE PAID

\$50.00

OBA: ASTRO PYROTECHNICS
2298 W. STONEHURST
REALTO, CA 92376

04-1804-531

REV. 3/85

PERMIT DOES NOT IMPLY APPROVAL

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CONSPICUOUS PLACE

Director
ENVIRONMENTAL HEALTH SERVICES

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GEN FILE
ASTRO PYROTECH.

FIRE PROTECTION AGENCY AND SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

APPLICATION AND PERMIT TO BURN

Fire Agency Rialto Fire Department
Name (Applicant) Astro-Pyrotechnics Tel. No. 714-322-3100
Address 2298 West Stonehurst Ave City Rialto, California
Burning Site Location 3196 N Locust Ave.
Section _____ Township _____ Range _____ Cross Street _____

APPLICATION: I hereby apply for a Permit to Burn the material indicated below pursuant to the South Coast Air Quality Management District Rule 444.

Name and Type of Material Hazardous Pyrotechnic Waste Materials

Estimated Quantity (Tons) _____ Acreage _____

Fire Hazard XX Firefighting Training N/A Agricultural Burning N/A
N/A N/A

Tumbleweeds (Russian Thistle) _____ Other N/A

I OWN OR LEGALLY CONTROL THE ABOVE-DESCRIBED LAND AND I AGREE TO COMPLY WITH ALL FIRE AND AIR QUALITY MANAGEMENT LAWS, ORDINANCES, REGULATIONS AND TERMS OF THE PERMIT. I CERTIFY THAT I HAVE READ AND UNDERSTAND THE REVERSE SIDE OF THIS APPLICATION.

Signature of Applicant _____ Date _____

Administrative Use: _____

FIRE AGENCY: Field inspection made by E. Gutierrez Date June 1988

Meets Requirements of Rule 444. Yes ☒ No ☐ Referred to AQMD Date June 23, 1988

Remarks: Copy to L. Stiles Sup. Eng. AQMD

Permit: Applicant is hereby authorized to conduct open burning in accordance with above information, and subject to the following:

1. Permit Duration June 23 ⁸³ 19 through August 1, 1988 ¹⁹
2. Burning to be confined between the hours 7 AM/PM 11 AM/PM
3. Other Requirements Burning Permitted on approved AQMD burn days only, Only declared Pyrotechnic waste materials may be destroyed, Inventory all Pyrotechnic Waste

4. Telephone 714-820-2508 Fire Prev. Div. 714-387-6075 Fire Dispatch BEFORE BURNING

5. Emergency Telephone 911

Issuing Agency RIALTO FIRE DEPT

Issued by (Name) Thomas J. Mc Veitty 

Title Fire Marshal Date June 23, 1988

SEE REVERSE SIDE FOR OTHER CONDITIONS AND REQUIREMENTS

DISTRIBUTION: White - Permittee, Canary - Issuing Agency, Pink - SCAQMD

Form No. 588-2-85

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86008402
FLK
COUNTY FIRE DEPARTMENT

HAZARDOUS MATERIALS DIVISION
385 North Arrowhead Avenue, Second Floor • San Bernardino, CA 92415-0153



COUNTY OF SAN BERNARDINO

RICHARD W. SEWELL
Fire Chief
County Fire Warden

June 4, 1987

Astro Pyrotechnics
2298 W. Stonehurst
Rialto, CA 92378

Facility manufactures theatrical and small stadium fireworks.

Facility was inspected on March 17, 1987 for compliance with hazardous material and waste laws and regulations. John Jeska of this Department was also present.

Facility has current permits as a hazardous material handler and a hazardous waste generator from this Department.

The Business/Contingency Plan was last updated in January 1984.

The facility has small buildings that hold raw materials and for manufacturing of the fireworks. Magazines on site are used to store finished product, waste chemicals, and unusable or off specification fireworks.

Assembly of the fireworks is conducted in small pre-fab buildings. The chemicals are formed or pressed into shape and containerized. The "oxidizer" building has a hydraulic oil leak coming from its hydraulic press. The oil has leaked through the floor and has pooled on the ground next to the building.

Two buildings have small concrete bermed areas next to them that are used to collect the chemical sweepings (waste) that have fallen on the floor from the manufacturing process. The floors inside the buildings are washed out with water. The chemicals on the floor are washed out into these shallow bermed areas and kept underwater. The water is periodically drained and the "sludge" is collected and stored in the magazines to await disposal. About 50 pounds are collected before they are burned on site.

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Astro Pyrotechnics
Page 2

Off specification fireworks are also kept in the magazines. Leo Autote of Astro Pyrotechnics and Dean Collister and Gary Brown of Pyro Spectacular, stated in person or in phone conversations that these wastes are hauled off site under a bill of lading, with approval from the State Fire Marshall's office. These wastes are disposed of by burning, most recently in Merced County. Copies of the bills of lading were requested from Mr. Collister on March 28, 1997, but none have been received by this Department.

Greg Smith and Marge Yarbrough of the State Fire Marshall's office stated that Pyro Spectacular (parent company of Astro Pyrotechnics) was under a one-time contract last year to remove confiscated fireworks from Southern California area fire departments and Sheriff's offices and was allowed to haul some of their own wastes under that contract. No current contract exists with the State Fire Marshall's office for removal of any waste from either company.

The South Coast Air Quality Management District has given the facility a yearly clearance which allows the Rialto Fire Department to approve burn permits on Astro Pyrotechnics property with certain restrictions.

Off specification fireworks and manufacturer chemical floor sweepings meet the definition of hazardous waste under 22 CCR 66281.2(c) and 66282.21. They are wastes because they are disposed of by burning and meet RCRA hazardous waste criteria because of their ignitibility characteristic.

Requirements to be completed within 30 days:

1. All hazardous wastes must be properly contained and labeled. The label must have the words "Hazardous Waste" on it and the following information must be completed: Name and address of facility, accumulation start date, contents and composition, physical state and hazardous properties. A sample label is enclosed.
2. Storage areas for hazardous waste must be inspected weekly and a log kept of the inspections. A sample form is enclosed.
3. All hazardous waste must be removed by a licensed hazardous waste hauler, and transported to a permitted facility. The hazardous waste must be removed from the facility within 180 days of the accumulation start date (90 days if more than 1000 kg/month is generated).

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Astro Pyrotechnics
Page 3

4. Hazardous wastes must be hauled with a hazardous waste manifest when removed from the facility. Hazardous waste manifests must be kept on site and available for review for a minimum of three (3) years.
5. An EPA ID number is required to generate and have hazardous waste hauled off site. This number can be obtained by calling (415) 495-8895.
6. Properly contain all leaks and operate machinery and equipment to prevent leaks or spills. Properly clean up and dispose of, as hazardous waste, oil and contaminated soil from around production building. Submit the manifest to this Department.
7. Update and submit the Business/Contingency Plan. Continue to submit updates at least annually.
8. Burning of off specification fireworks and chemical floor sweepings is considered treatment and/or disposal of a hazardous waste. Immediately cease treating or disposing of these hazardous wastes by burning without authorization or a permit from the State Department of Toxic Substances Control (DTSC). Permits from other jurisdictions, such as Rialto Fire Department, South Coast Air Quality Management District, or the State Fire Marshall's office, do not give a variance to any laws or regulations in handling or disposing of hazardous waste. Contact DTSC at (310) 590-4868 for information on permits required for treating or disposing of hazardous waste.
9. Releasing the water covering the chemical floor sweepings to the ground is an illegal discharge of a hazardous waste. The water must be analyzed by a State Certified Laboratory to verify that it does not meet hazardous waste criteria, including toxicity and ignitability. A list of State certified analytical laboratories is enclosed. Submit a copy of the completed analysis to this Department. Discharge of wastewater to the surface of the ground is prohibited unless written approval has been granted by the Rialto Water/Wastewater Department, and/or Santa Ana Regional Water Quality Control Board.

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Astro Pyrotechnics
Page 4

The following documents must be submitted to this Department within 30 days:

EPA ID number
Business/Contingency Plan update
Manifest for contaminated soil removal
Analysis of water covering the chemical floor sweepings

When the above requirements have been completed, submit the completed Certificate of Compliance with all required documents to this Department.

If you have any questions, call (909) 387-3080.



GREG BEACH, R.E.H.S.
Hazardous Materials Field Services

GB:vr

Enclosures

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SACCHINA

200-2200



County of San Bernardino
DEPARTMENT OF ENVIRONMENTAL HEALTH SERVICES
HAZARDOUS WASTE GENERATOR INSPECTION REPORT

Dean Collins - U.P.

Facility Name ASTRO PHOTOGRAPHICS
Site Address 2298 W. Strachanway, Rialto 92376
Contact Person Leo Autote
Phone Number (714) 822-0108
Number Employees 3-19
EPA Number _____

Mailing Address _____
Others Present Don Williams

The following violations have been noted and must be corrected as follows:

1	Storage Over 60 Days	Permits are current & posted.
2	Removal/Remediation	
3	Drumming Labelled	
4	Labels Drilled	
5	Containers Sealed	
6	Containers Closed	
7	Manifested in Present Label	
8	Manifestations - Mixed	
9	Manifestations - Stored	
10	Corrosion	
11	Resuspended Materials	
12	Soil from Property Line	
13	Weathering Signs	
14	Inventory Verification	
15	Manifestation	
16	Illegal Disposal	
17	Discharged to Ground	
18	Contaminated Soil	
19	Empty Drums	
20	Unlabeled Material	
21	Cross Contamination	
22	Waste Manifestation	
23	Inventory Records	
24	Manifestation Available	
25	Business Plan/Manifest	
26	Permit Dangerous/Manifest	
27	Training	
28	Battery/Dangerous Equipment	
29	Container Permits	
30	Business Plan Knowledge	
31	Labeling	
32	Manifestation	
33	Contaminating	
34	Permit - Transfer	
35	Manifestation	
36	Business Plan	
37	Manifestation	
38	Manifestation	
39	Manifestation	
40	Manifestation	

Additional Comments:

Chemicals in Trailers: Hexachlorocyclopentadiene, Sodium hexafluoroantimonate, Sodium benzoate, barium carbonate, hexamine, strachan nitrates, copper nitrate, barium nitrate, cerium hexachlorate, soil sulfur, green chemicals, powdered materials.

Oxidizers are kept separate from other chemicals.

Fireworks - 800 lbs - are kept in warehouse area, from chemicals.

Oil & acetone kept in machine shop. (Most oil will be burned by licensed driver)

Business Plan was available.

Inspector Maia Folger Received By Leo Autote Date 6/29/90
HAZARDOUS MATERIALS FIELD SERVICES - 908 North Arrowhead Avenue, San Bernardino, CA 92415-0180 (714) 387-3080



STATE OF ARKANSAS
Department of Pollution and Ecology
P. O. Box 8913 Little Rock, Arkansas 72219-8913
Telephone 501-562-7444

6

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-94

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No.		Manifest Document No.		2. Page 1		Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address		4. Generator's Phone		5. Generator's US EPA ID Number		6. State Manifest Document Number		7. State Generator's ID	
ASTRO PYROTECHNICS 2298 W. STONEHURST RIALTO CA 92377		909 982-6389 (DAN EYMAN)		16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1 0		AR- 614309			
5. Transporter 1 Company Name		6. US EPA ID Number		7. State Transporter's ID		8. Transporter's Phone		9. State Transporter's ID	
ENVIRONMENTAL DYNAMICS, INC.		16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1 0		PC 501 H 977		310 952-9812		PC 501 H 977	
7. Transporter 2 Company Name		8. US EPA ID Number		9. State Transporter's ID		10. Transporter's Phone		11. State Transporter's ID	
10. Designated Facility Name and Site Address		11. US EPA ID Number		12. State Facility's ID		13. Facility's Phone		14. State Facility's ID	
ENSCO AMERICAN ROAD ELSGRABO, AR 71230		16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1 0		ARD 069748192		501 863-7173			
15. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		16. Containers		17. Total Quantity		18. Unit		19. Waste No.	
a. RQ WASTE OXIDIZING SUBSTANCES, LIQUID H.O.S. (POTASSIUM NITRATE and POTASSIUM PERCHLORATE) 5.1 UN3139 PGLI (D001)		No. Type		Quantity		Unit		Waste No.	
		0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		G				CA: 491 EPA: D001	
b.									
c.									
d.									
J. Additional Descriptions for Materials Listed Above		K. Handling Codes for Wastes Listed Above		EMERGENCY RESPONSE INFORMATION:					
11a. 694522 2 x 30gal									
If no alternate TSDF, return to generator									
16. Special Handling Instructions and Additional Information									
ERG #1s 11a.140 WEAR GLOVES AND GOGGLES: E & PH #800-888-0702 DISPOSAL BILLING-ENVIRONMENTAL DYNAMICS, INC.									
18. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations and Arkansas state regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.									
Printed/Typed Name		Signature		Month		Day		Year	
J. H. S. I.		J. H. S. I.		11		11		11	
17. Transporter 1 Acknowledgement of Receipt of Materials		Signature		Month		Day		Year	
Printed/Typed Name		Signature		Month		Day		Year	
Jenny S. McCreary SE		Jenny S. McCreary SE		09		05		97	
18. Transporter 2 Acknowledgement of Receipt of Materials		Signature		Month		Day		Year	
Printed/Typed Name		Signature		Month		Day		Year	
19. Discrepancy Indication Space									
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 18.		Signature		Month		Day		Year	
Printed/Typed Name		Signature		Month		Day		Year	

EPA Form 8700-22 (Rev. 9-88) Previous edition is obsolete.

GENERATOR INITIAL COPY

SBC HMD

0012222



STATE OF ARKANSAS
Department of Pollution Control and Ecology
P. O. Box 8913 Little Rock, Arkansas 72219-8913
Telephone 501-562-7444

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Please print or type. (Form designed for use on eight (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-92

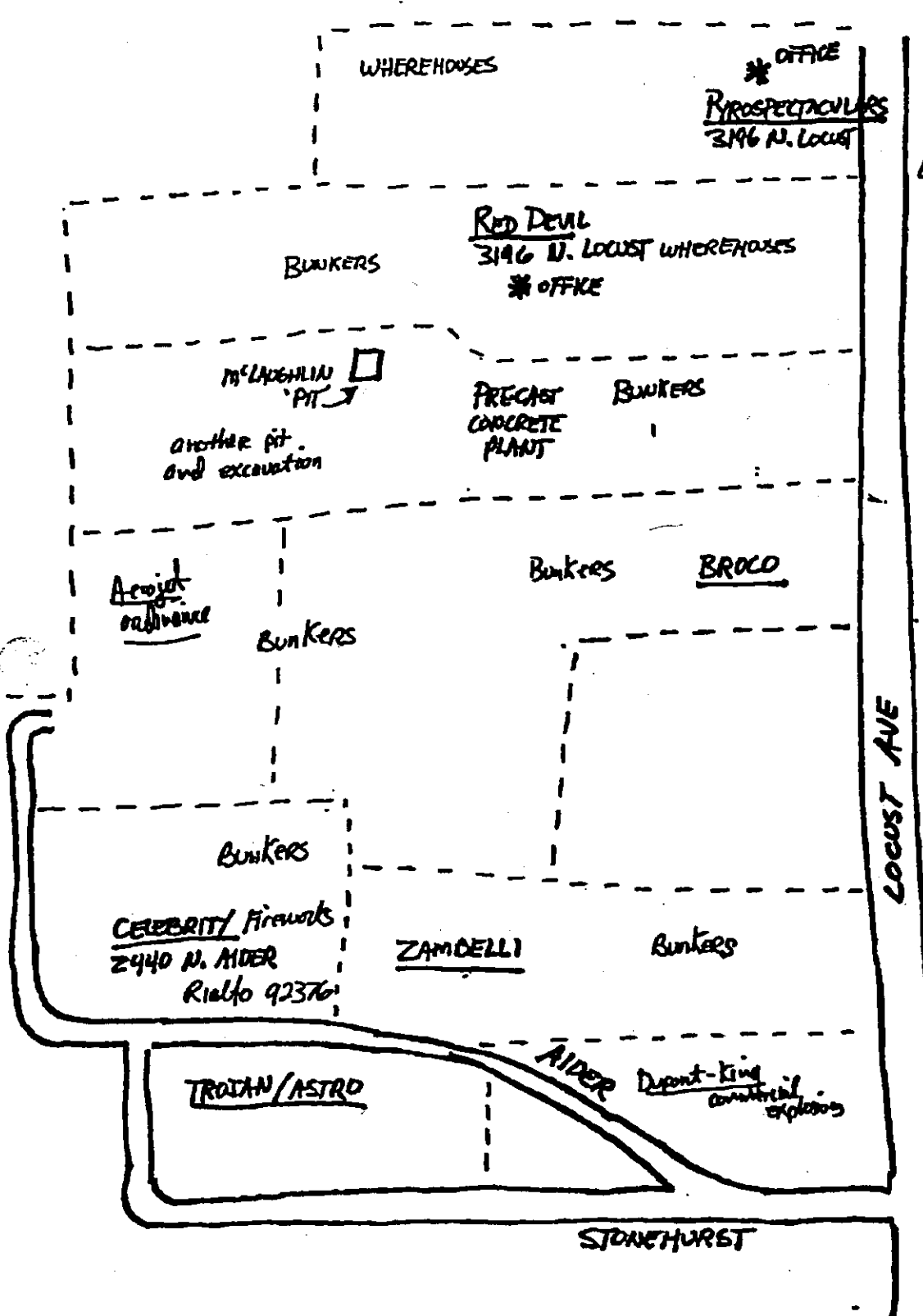
UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No.	Manifest Document No.	2. Page 1	Information in the shaded areas is not required by Federal law.
3. Generator's Name and Mailing Address		4. Generator's Phone		A. State Manifest Document Number	
ASTRO PYROTECHNICS 2298 W. STONENURST RIALTO CA 92377		909 572-6389 (FAX 572-6389)		AR-577709	
5. Transporter 1 Company Name		US EPA ID Number		B. State Generator's ID	
ENVIRONMENTAL DYNAMICS, INC.		8 A 9 9 5 2 4 1 2 6 9 9			
7. Transporter 2 Company Name		US EPA ID Number		C. State Transporter's ID	
				PC - - - - H - - -	
9. Designated Facility Name and Site Address		10. US EPA ID Number		D. Transporter's Phone	
ENSCO AMERICAN ROAD ELDORADO, AR 71730		1 2 3 0 6 9 7 4 0 1 1 0 1 3		510 952-9812	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers		E. State Transporter's ID	
a. RQ WASTE OXIDIZING SUBSTANCES, LIQUID N.O.S. (POTASSIUM NITRATE and POTASSIUM PERCHLORATE) 5.1 UN3139 PG1 (D001)		No. Type Total Quantity Unit Wt/Vol Waste No.		F. Transporter's Phone	
		0 0 2 0 P 0 0 0 0 C		PC - - - - H - - -	
J. Additional Descriptions for Materials Listed Above		K. Handling Codes for Wastes Listed Above		G. State Facility's ID	
11a.694522 2 x 30gal		EMERGENCY RESPONSE INFORMATION:		H. Facility's Phone	
If no alternate TSDF, return to generator				501 813-7173	
15. Special Handling Instructions and Additional Information				I. Facility's Phone	
EBC 11a.140 WEAR GLOVES AND GOGGLES: R PH #800-888-0702 DISPOSAL BILLING: ENVIRONMENTAL DYNAMICS INC.				501 813-7173	
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations and Arkansas state regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.					
Printed/Typed Name		Signature		Month Day Year	
LEO AUTOTE		Leo Autote		9/16/87	
17. Transporter 1 Acknowledgement of Receipt of Materials		Signature		Month Day Year	
Printed/Typed Name		Signature		Month Day Year	
18. Transporter 2 Acknowledgement of Receipt of Materials		Signature		Month Day Year	
Printed/Typed Name		Signature		Month Day Year	
19. Discrepancy Indication Space					
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.		Signature		Month Day Year	
Printed/Typed Name		Signature		Month Day Year	

EPA Form 8700-22 (Rev. 9-88) Previous edition is obsolete.

GENERATOR INITIAL COPY

SBC HMD

0011223



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NORTH Rialto

S Vin Station 8/87

ENCLOSURE 4



ENVIRONMENTAL HEALTH SERVICES DEPARTMENT

COUNTY OF SAN BERNARDINO, CALIFORNIA

THIS PERMIT EXPIRES:
05/31/89

TROJAN FIREWORKS CO.
2298 W STONEHURST
RIALTO, CA 92376
EST - 86008402

PERMIT - 8710010013

PERMIT
NON-TRANSFERABLE

This permit may be suspended or revoked by the health officer for cause. This permit is granted on condition that the person named in the permit will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California and the County of San Bernardino pertaining to the above mentioned business. Penalty fees are assessed on permits renewed 30 days after expiration date indicated above, or for failure to obtain new permit in case of transfer of ownership.

TYPE OF PERMIT - HAZARDOUS WASTE GENERATOR

FEE PAID \$250.00

TROJAN FIREWORKS CO.
DBA TROJAN FIREWORKS CO.
13500 EXCELSIOR DR
NORWALK, CA 90250

NBR EMPL - 34

Richard L. Roberts
Director
ENVIRONMENTAL HEALTH SERVICES

04-1804-831 REV. 3/85

PERMIT DOES NOT IMPLY APPROVAL

POST IN A
CONSPICUOUS PLACE

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ENVIRONMENTAL HEALTH SERVICES DEPARTMENT

COUNTY OF SAN BERNARDINO, CALIFORNIA

THIS PERMIT EXPIRES:
05/31/88

TROJAN FIREWORKS CO.
298 W STONEHURST
RTE LTO, CA 92376
ES - 86008402

PERMIT - 8710010013

PERMIT NON-TRANSFERABLE

This permit may be suspended or revoked by the health officer for cause. This permit is granted on condition that the person named in the permit will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California and the County of San Bernardino pertaining to the above mentioned business. Penalty fees are assessed on permits renewed 30 days after expiration date indicated above, or for failure to obtain new permit in case of transfer of ownership.

TYPE OF PERMIT - HAZARDOUS WASTE GENERATOR

FEE PAID

\$125.00

TROJAN FIREWORKS CO.
DBA TROJAN FIREWORKS CO.
13500 EXCELSIOR DR
NORWALK, CA 90250

NBR EMPL -

34

PRM
10/8/87
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POST IN A

CONSPICUOUS PLACE

Richard L. Roberts
Director
ENVIRONMENTAL HEALTH SERVICES

PERMIT DOES NOT IMPLY APPROVAL

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HAZARDOUS WASTE GENERATOR PERMIT APPLICATION RENEWAL

Facility Name: Trojan Fireworks Co. Date: 9/21/87
 Site Address: 2298 W. Stonehurst City: Rialto Zip: 92376
 Mailing Address: Same City: Zip:
 Assessor's Parcel Number: 0239-242-16, 17, 18 EAS: CAX000073932 SIC: 2899
 Former Business Name (If, changed from previous year): N.A.
 No. of Employees: 34

Legal Owner: Thomas O. Peters Mailing Address: P.O. Box 1170, Norwalk 90650
 Contact Person: Thomas O. Peter Title: specialized Phone No.: (213) 921-6169
 Emergency Contact Person: Stuart Carlton Title: Plant Manager Phone No.: 822-0108
 Address: 14259 Club View Dr., Lytle Creek 24 Hr. Phone No.: (714) 887-3261

DO YOU HAVE ANY OTHER PERMITS ISSUED BY THE COUNTY OF SAN BERNARDINO?

Yes X (List Below) No

Underground Storage Tank, S. B. County Sheriff's Explosives Permit
 HOW MANY UNDERGROUND STORAGE TANKS DOES THIS FACILITY HAVE? one

TYPES OF WASTES GENERATED (Use additional sheet if necessary)	VOLUME PER MONTH	DISPOSAL METHOD
Explosives (fireworks)	100 lbs./month avg.	None yet

NAME(s) OF HAULER/RECYCLER:

I declare under penalty of perjury that the information provided herein is true and correct to the best of my knowledge.

Stuart Carlton
 Signature

9/21/87
 Date

FORWARD TO: Department of Environmental
 Health Services
 Hazardous Waste/Toxics Control
 125 North Arrowhead Avenue
 San Bernardino, CA 92415

COUNTY USE ONLY
 DOB: 9/28/87
 Ass. Inv'd: 250 Cr. #: 2820
 MP#s: 221357 Permit #:
 REC'D BY: Shenaz

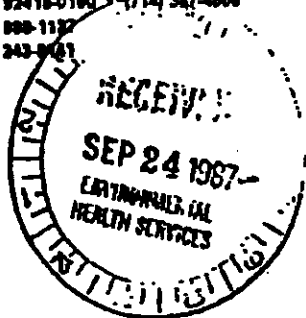
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ENVIRONMENTAL HEALTH SERVICES

- ☐ 385 North Arrowhead Avenue • San Bernardino, CA 92415-0100 • (714) 382-4000
☐ 330 East "D" Street • Ontario, CA 91764 • (714) 888-1137
☐ 16606 Olive Drive • Victorville, CA 92382 • (919) 243-9421
☐

PLEASE REPLY TO ADDRESS CHECKED



COUNTY OF SAN BERNARDINO ENVIRONMENTAL PUBLIC WORKS AGENCY

RICHARD L. ROBERTS, R.S., M.P.H.
Director

Also serving the offices at:

Adelanto	Fontana
Barstow	Granite
Big Bear Lake	Joshua
Chico	Cucamonga
Cotton	Redlands
Fontana	Riverside
Grand Terrace	San Bernardino
Lane Lind	Upland
Murietta	Victorville

August 7, 1987

HAZARDOUS WASTE GENERATOR NORTH RIALTO SURVEY

Business Name: Trojan Fireworks Co. Contact Person: Stuart Carlton

Address: 2296 W. Stonchurst, Rialto, CA. 92376 Phone: 822-0100

Mailing Address: SAME

- 1) List all Hazardous Materials on site include any explosives*

Explosives (mainly Class C Common fireworks, Class B Special
fireworks, and wastes from the manufacture of these.)

- 2) List all Hazardous Wastes on site include off spec or unusable product*

As above, production wastes such as floor-sweeping; off-spec product;
returns from displays and July 4 sales; and damaged or faulty import
material which can not be returned.

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- 3) How and where are the hazardous materials and wastes stored?
(Please draw a map of the facility indicating structures and materials/wastes stored in them. Also indicate how stored: boxes, drums, etc... Please indicate any bunkers or pits located on site).
See attached.
- 4) Does your facility manufacture fireworks? Yes X No
- 5) Does your facility store fireworks in bulk? Yes No See attached
- 6) Has your facility had problems disposing of off-spec or unusable fireworks? Yes X No
If yes, please describe: EPA prohibits burning: SOA/QMD prohibits burning: DOT has no classification for hauling. To date we have been allowed only to store it.
- 7) Have you had any past incidents involving your materials/wastes? Yes X No
If yes, please describe below (list dates and any injuries)
Explosion of live waste storage building on July 28, 1987, in which there was one fatality.
- 8) Have you developed a "business plan" for emergencies and submitted it to our Department or the Fire Department? (Regardless of the answer, if you have one, please attach it) Yes No X See Attached
- 9) List past owners of property, if known:
American Explosives Company during some period prior to 1973 when Mr. Peters of the Trojan Fireworks Co. acquired it.

Please return this for to: DEHS
385 NORTH ARROWHEAD
SAN BERNARDINO, CA 92415
ATTN: STEVE VAN STOCKUM

*Attach an additional sheet if more room is needed
*RETURN TO US NO LATER THAN AUGUST 21, 1987+

Attachment to Hazardous Waste Generator
North Rialto Survey

- 3) Prior to the explosion of July 26, 1987, live waste was stored in cardboard boxes and drums, and paper bags, in a building surrounded by an earthen embankment on the referenced site. Wastes are presently being stored in Bunker E-1 of the former U.S. Navy bunkers located on the property of the Schulz Trust and leased from the Trust. Cardboard and paper containers continue to be used.
- 5) No finished fireworks are, or have been, stored at the referenced site. "Safe and Sane" Class C Common Fireworks are transported to the company warehouse in Santa Fe Springs upon completion. Class B Special Fireworks manufactured at the site or purchased from outside suppliers are stored in Bunkers B-1, B-2 and B-3, now leased from private owners.
- 8) We have not filed a formal Business Plan, but we have worked closely with the Rialto Fire Department in connection with structures and contents, and the probable violence, if any, of their burning in case of fires.

SECRET

001276

1
TROJAN FIREWORKS CO. • 13500 EXCELSIOR DRIVE • NORWALK, CALIFORNIA 90650

address mail and P.O. Box 441 - cable address TROJFIRE - phone (213) 921-4444 - (714) 331-4747

January 9, 1973



City of Rialto
Planning Commission
Mr. Richard E. Downing, Director
150 South Palm Avenue
Rialto, California 92376

Re: APPLICATION FOR CONDITIONAL DEVELOPMENT,
2-1/2 Acres N/E Corner Stonehurst and
Alder Streets, Rialto, California

Gentlemen:

We respectfully submit herewith our application for conditional development of the stated property, now located in the City of Rialto.

It is our intention to re-activate this plant and manufacture only California "safe and sane" commercial fireworks as approved by the State Fire Marshal for retail sale each fourth of July season. Although this facility was formerly licensed and used by American Explosives Company (AMEX) for production of military pyrotechnics, we do not intend to engage in the production of Class A explosives, but limit it to Class C only.

The plot plan submitted herewith indicates the proposed usage of existing structures. Storage, both existing and proposed, will most likely consist of only such raw materials as paper tubes, paper cones, corrugated shipping containers, adhesives, labels, etc. Chemical storage is scheduled for our facilities immediately to the north in the former government bunkers where we operate our display fireworks division, known as Astro Pyrotechnics. As goods are finished in this facility they will be dispatched to our Norwalk warehouses via our own vehicular equipment, for final assembly and packaging.

Any doubts as to the ability of our company to set-up, maintain and operate such a facility can readily be answered. The petitioner, O. O. Peters, president, has over 27 years experience in this field; our vice-president, Mr. B. W. Wells is probably one of the outstanding pyrotechnicians in the world

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City of Rialto
Planning Commission

Page -2-
January 9, 1973

(see resume attached), and the plant superintendent, Mr. Gerald Gerth is likewise well-versed in the field, being a graduate chemical engineer from California Institute of Technology.

We look forward to favorable action on our application, and pledge our efforts to making this a production facility that will please the administrators and citizens of Rialto. If further facts or information is needed, please call on us.

Yours very truly,

TROJAN FIREWORKS CO.

O. D. Peters
O. D. Peters,
President

ODP;dv

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Wastes may have caused Rialto blast

By PAMELA FITZSIMMONS
Sun Staff Writer

RIALTO — A fatal explosion July 28 at the Trojan and Astro fireworks plant might have been caused by an accumulation of live wastes that city and fireworks officials knew of but said they could do nothing about.

The officials blame the South Coast Air Quality Management District for not allowing the fireworks company to legally burn off the live wastes — debris that can detonate.

A district spokesman said Wednesday the fireworks company and the Rialto Fire Department did not seek permission for a legal burn until after an explosion killed an employee working with the wastes.

The plant manager for Trojan and Astro said the Fire Department did all it could to help his company deal with the "bureaucratic inertia" of the air quality district. But Stuart Carlton added that "(Acting Fire Chief) Tom McVeitty is walking a tight-rope."

One of Carlton's employees, Jose Diaz, 31, of San Bernardino, was killed in the July blast at Trojan and Astro, 2298 W. Stonehurst Ave., while unloading wastes from a van into a bunker. The wastes included chemicals and powder left over from fireworks manufacturing and faulty fireworks that cannot be sold. Carlton said the wastes are put in bags and then stored.

Although no one will ever know for sure, Carlton said it is believed that Diaz may have stepped in some powder on the floor, and the friction detonated the explosion.

"I sort of voiced then that the guy was not going to die in vain, that we were going to get something done," Carlton said.

There was a years' worth of live wastes stored at Trojan and Astro, Chief McVeitty said, and his fire inspectors knew about it.

"We knew where it was
See FIREWORKS/Back page

Fireworks: Live wastes may have caused blast

Continued from A1

stored, and we had some idea as to the quantity," he said. "We didn't ever write it down as a violation, because we knew the position they were in. They couldn't take (the wastes) anywhere or burn them."

McVeitty said his department cannot issue a burning permit unless it is approved by the air quality district. "They weren't allowing any open burning permits, which put Trojan between a rock and a hard place. The only way to dispose of live wastes is burning. ... Hazardous waste dumps won't take it."

The fireworks company could have obtained burning permits before the explosion by asking the Fire Department to invoke a special rule, said district spokeswoman Jacqueline Switzer. The rule allows fire depart-

a hazardous situation exists that cannot be abated any way other than burning.

The permits are then taken to the air quality district, which gives final approval on days burning can take place, depending on factors such as the weather.

Switzer said the district's records show that Trojan did not contact her agency about burning permits until January 1988.

The air quality district approved burning permits for January through April, but the agency relented only because July's fatal explosion proved the need for getting rid of the wastes, McVeitty said.

"I've got burning permits on file here for fireworks and explosives companies that are stamped 'Canceled' by the air quality district," McVeitty said, adding that the latest one is dated April 1987.

partment leaned on the district to approve burning. "I don't think everyone was aware of the seriousness of the problem before the accident," he said.

If Trojan had burned the wastes without the district's approval and if the Fire Department had looked the other way, "very possibly the city would have gotten into trouble, and Trojan would have been subject to fines," McVeitty said.

Carlton doesn't know if the district will allow his plant to burn wastes after the April permit expires, but he noted that his company is allowed to test fireworks.

He predicted that in the future, some live wastes may find their way into the tests.

"That's the way I feel now," he said. "We'll call it testing, and if the air quality district makes

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ENCLOSURE 5

**PRELIMINARY ENVIRONMENTAL
SITE ASSESSMENT AND
LIMITED SOIL SAMPLING
2298 WEST STONEHURST DRIVE
RIALTO, CALIFORNIA
PREPARED FOR
VARNER, SALESON, AND BRANDT
JOB NO. 03095-9**

6.2 Sampling and Decontamination Procedures

Prior to sampling and between samples, all equipment was decontaminated in a detergent solution and rinsed twice with potable water to ensure that cross-contamination of samples did not occur. The sample packaging consisted of placing the soil directly into laboratory-cleaned glass jars with Teflon-lined lids. The samples were labeled with the job number, sample number, depth, date, and time of collection and placed directly into a thermally-insulated container with Blue Ice. The samples were transported under chain-of-custody protocol (Enclosure "D") to a State of California Department of Health Services certified laboratory for analytical testing.

6.3 Laboratory Analyses

Based on the current and historical usage of the property, all samples were analyzed for Perchlorate by EPA Method 314. Additionally, three of the 10 soil samples were analyzed for Cam Metals by EPA Method 6010.

6.4 Analytical Results

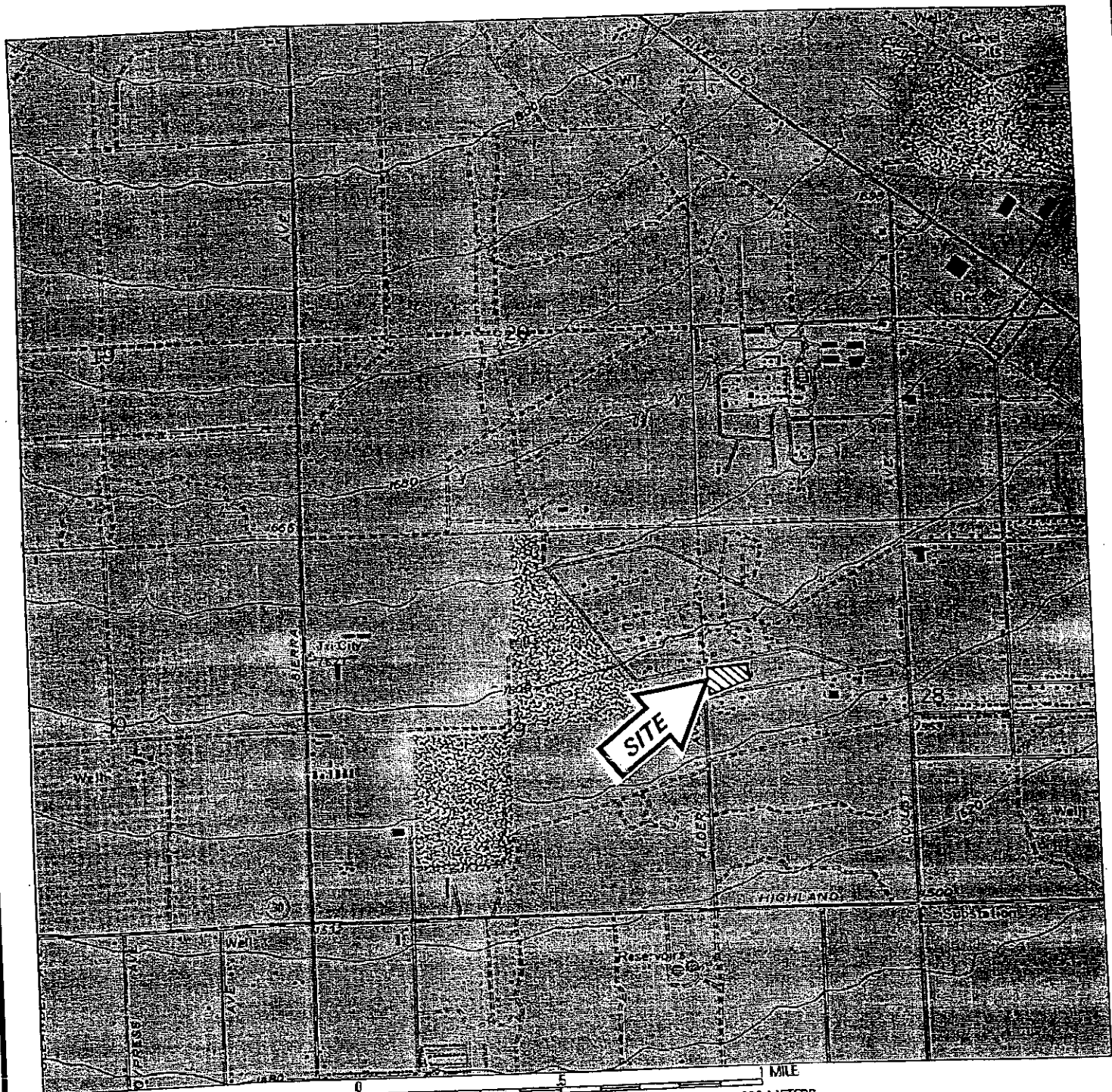
The analytical test results indicated detectable levels of Perchlorate in eight of the 10 samples collected. Concentrations generally ranged from 49 micrograms/kilogram (ppb) to 500 ppb. One sample (Sample No. S-6) obtained a result of 55,000 ppb or 55 parts per million (ppm) of Perchlorate. This sample underwent dilution at the laboratory in order to obtain a reading within the limits of the laboratory equipment.

The analytical results for metals testing on Samples No. S-1, S-2, and S-8, indicated levels below the total threshold limit concentration for each analyzed constituent. Sample No. S-8, however, was identified with a chromium concentration of 120 ppm. Although this concentration does not immediately identify the material as a hazardous waste, the soluble threshold limit concentration test would need to be conducted (based on the correlation obtained) to eliminate the potential that this material will be considered a hazardous waste.

The specific analytical results for all soil samples analyzed are summarized in Enclosure "E".

7.0 CONCLUSIONS

At the time of our site reconnaissance, the subject site consisted of a generally rectangular parcel of land occupying approximately 5 acres. The subject site was located at the western terminus of West Stone-



TN * MN
13 1/2°

Map created with TOPO!® ©2001 National Geographic (www.nationalgeographic.com/topo)

INDEX MAP

FOR:
**VARNER, SALESON
& BRANDT**

DATE: **MARCH 2003**

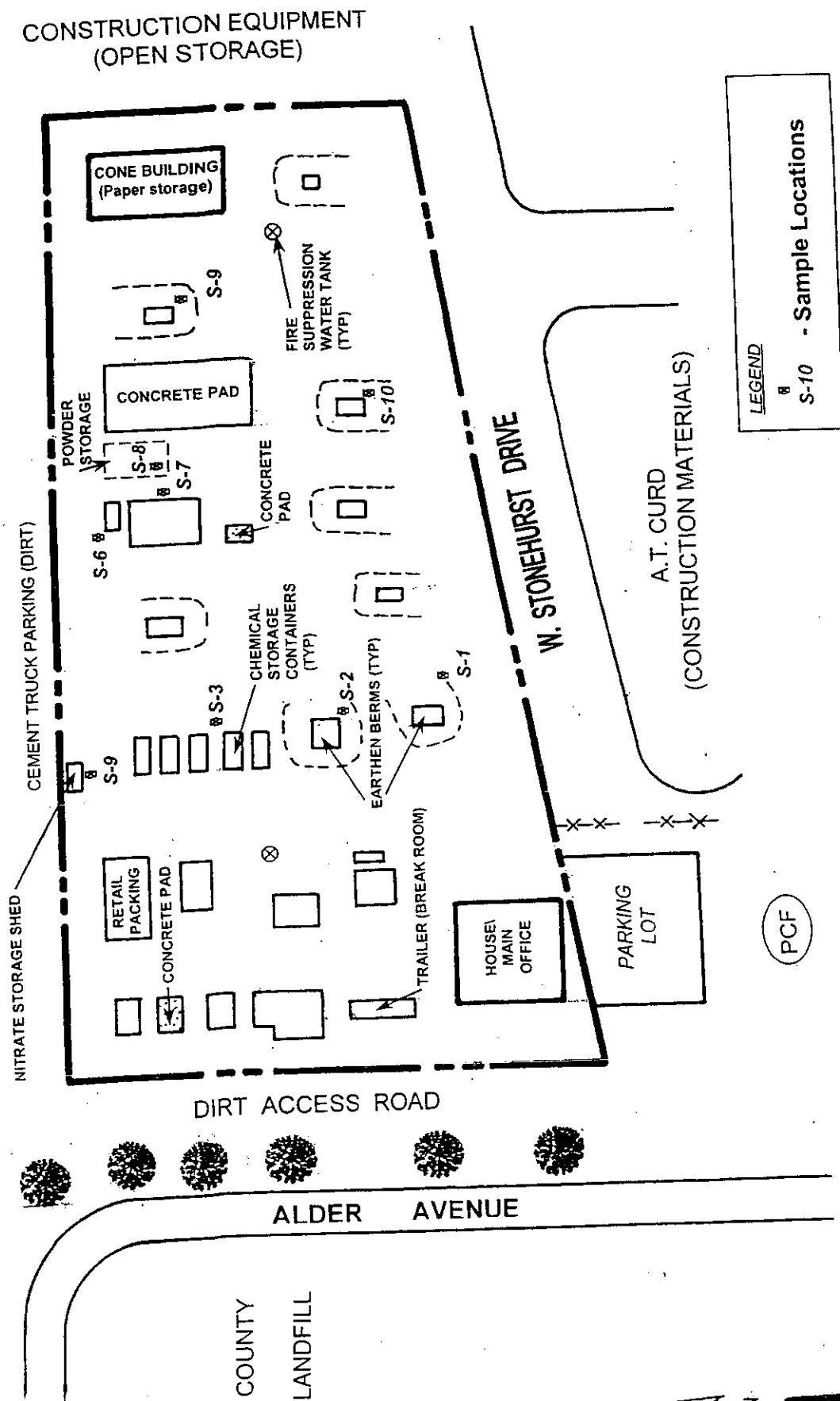
PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT
2298 W. STONEHURST DRIVE
RIALTO, CALIFORNIA

ENCLOSURE
"A-1"

JOB NUMBER
03095-9

C.H.J., INCORPORATED

ROBERTSON'S READY MIX



NOT TO SCALE

SAMPLE LOCATION MAP

ENCLOSURE
"A-3"

PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT
2298 W. STONEHURST DRIVE
RIALTO, CALIFORNIA

FOR:
VARNER, SALESON
& BRANDT

JOB NUMBER
03095-9

DATE: MARCH 2003

C.H.-J., INCORPORATED

ANALYTICAL REPORT

Centrum Analytical Laboratories, Inc.
 1401 Research Park Drive, Suite 100
 Riverside, CA 92507-2111

Date Sampled: 02/14/03
 Date Received: 02/17/03
 Date Analyzed: 02/19/03

Attn: Marilu Escher
 RE: Astro Pyrotechnics (A.P.) / 21842

Work Order No.: 03-02-0884
 Method: EPA 314.0M
 Page 1 of 1

All concentrations are reported in µg/kg (ppb).

<u>Sample Number</u>	<u>Perchlorate Concentration</u>	<u>Reporting Limit</u>
S-1	500	20
S-2	260	20
S-3	ND	20
S-4	220	20
S-5	ND	20
S-6	55000	4000
S-7	150	20
S-8	100	20
S-9	58	20
S-10	49	20
Method Blank	ND	20

ND denotes not detected at indicated reportable limit.

Each sample was received by CEL chilled, intact, and with chain-of-custody attached.

QUALITY ASSURANCE SUMMARY
Method EPA 314.0M

Centrum Analytical
Page 1 of 1

Work Order No.: 03-02-0884
Date Analyzed: 02/19/03

Matrix Spike/Matrix Spike Duplicate
Sample Spiked: S-1

<u>Analyte</u>	<u>MS%REC</u>	<u>MSD%REC</u>	<u>Control Limits (%)</u>	<u>%RPD</u>	<u>Control Limits (%)</u>
Perchlorate	110	99	80 - 120	2	0 - 15

Laboratory Control Sample

<u>Analyte</u>	<u>Conc. Added</u>	<u>Conc. Rec.</u>	<u>%REC</u>	<u>Control Limits (%)</u>
Perchlorate	250	270	108	85 - 115

EXHIBIT 20



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (909) 782-4130 - FAX (909) 781-6288

Gray Davis
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.*

June 26, 2003

Mr. Eric G. Lardiere
Whittaker Corporation
1955 N Surveryor Avenue
Simi Valley, Ca 93063

Mr. Eric G. Lardiere
Meggitt-USA Inc.
1955 N Surveryor Avenue
Simi Valley, Ca 93063

DIRECTIVE TO CONDUCT A RECORDS INVESTIGATION AND SUBMIT A REPORT CONCERNING PERCHLORATE DISCHARGES IN THE RIALTO, COLTON AND CHINO GROUNDWATER BASINS, SAN BERNARDINO COUNTY, CALIFORNIA

Dear Mr. Lardiere:

Perchlorate has been detected in municipal water supply wells in the Rialto, Colton and Chino Groundwater Subbasins in Southern California. These water supply wells are located downgradient of the former Whittaker Corporation facility. The facility was used to design, test and fabricate military and commercial pyrotechnic and explosive devices, which are likely to have contained perchlorate. Meggitt-USA Inc., Whittaker Corporation and their subsidiaries and predecessors, including but not limited to American Explosives Company, AMEX Products, Inc., Tasker Industries, and Whittaker Corporation (collectively Meggitt), are suspected dischargers of perchlorate.

This letter sets forth a requirement under California Water Code Section 13267 that Meggitt conduct an investigation of its records of historical operations at the Rialto site. As required by that provision, this letter contains an explanation of the need for the investigation, and cites evidence supporting the requirement.

Background

Perchlorate contamination was first detected in groundwater in the Rialto, Colton and Chino Groundwater Subbasins in 1997. At that time, the California Department of Health Services (DHS) Action Level (AL) for perchlorate in drinking water was 18 parts per billion (ppb). Two wells had perchlorate levels exceeding 18 ppb and were shut

California Environmental Protection Agency



Recycled Paper

down. In January 2002, the DHS lowered the AL to 4 ppb. In response to the reduced AL for perchlorate, the local water purveyors in the Rialto, Colton and Chino Groundwater Subbasins restricted or eliminated the use of additional production wells with perchlorate concentrations that exceeded 4 ppb (Enclosure 1). Between 1997 and the present, various suspected perchlorate dischargers, including Meggitt, have been identified.

Requirement for an Investigation

The Regional Board has directed staff to issue individual letters under California Water Code Section 13267 to suspected perchlorate dischargers. The Board also expressed a strong desire that suspected perchlorate dischargers work with the local water purveyors to provide a supply of replacement water during the loss or limited use of their production wells.

The Need for the Investigation

The Santa Ana Regional Water Quality Control Board is charged with the protection of water quality in this Region. We have been working actively with the water purveyors for several years to identify the extent and address the impact of perchlorate contamination on water resources in the Rialto, Colton and Chino Groundwater Subbasins. The water purveyors whose wells have been contaminated with perchlorate now face a state of emergency, and may not be able to provide an adequate water supply to their customers. It is urgent that the sources of the contamination be identified, and the magnitude of the perchlorate plume defined.

Evidence Supporting the Need for the Investigation and Report

Evidence indicates that American Explosives Company ("AEC") and AMEX Products operated a facility in Rialto, California from the late 1960's through approximately 1973. A City of Rialto Building Permit Application indicates that AEC operated a facility in the Rialto in the late 1960's (Enclosure 2). Other evidence indicates that AEC utilized an explosives storage bunker in Rialto (Enclosure 3). On or about September 2, 1969, AEC changed its name to AMEX Products, Inc. (Enclosure 4). Thereafter, AMEX Products became a division of Tasker Industries (Enclosure 5).

The Pacific Telephone and Telegraph Company directory for 1970 (page 129) contains a listing for AMEX Products Division of Tasker Industries, which indicated that AMEX Products had a plant and general office located at 2298 W. Stonehurst and a test range on Alder (Enclosure 5). These addresses, while listed as being in Fontana, are believed to be in what is presently Rialto. This directory listing further indicates that AMEX Products designed, tested and fabricated military and commercial pyrotechnic and explosive devices. Other historical evidence also indicates that AMEX and AEC produced explosives in Rialto (Enclosure 6).

On or about October 29, 1972, Tasker Industries merged into Whittaker Corporation (Enclosure 7). Records indicate that Whittaker Corporation thereafter owned the Rialto



facility until it sold the facility in or about 1974 (Enclosure 8). On or about July 14, 1999, Meggitt PLC acquired Whittaker Corporation (Enclosure 9).

Perchlorate is used in explosives and pyrotechnics. Records indicate that perchlorate and perchlorate containing materials were burned, detonated and otherwise disposed of at Broco. Other sites involved with the manufacture of explosives and the testing, burning and disposal of perchlorate-containing materials and wastes have had documented perchlorate discharges and contamination (e.g., www.geotracker.swrcb.ca.gov/perchlorate). An investigation by the County of San Bernardino in the vicinity of Broco's former Rialto operations and storage bunkers has revealed perchlorate contamination in the groundwater.

Based on the evidence, Meggitt is suspected of having discharged perchlorate waste that has adversely affected water quality. This evidence supports the requirement for an investigation, as defined in Section 13267(b)(1) of the California Water Code.

Deadlines

By July 31, 2003, a report containing the following information shall be submitted to the Regional Board staff:

1. A detailed description of Meggitt's past and present operations in the Rialto, Colton and Chino Groundwater Subbasins, including but not limited to, whether and when it used or handled perchlorate or perchlorate-containing materials and the approximate quantities of such materials; the operations, processes and activities involving perchlorate and perchlorate-containing materials, including testing and waste disposal practices; whether materials, off-spec or defective materials, or other wastes were burned or buried; any known or suspected discharges of perchlorate; any accidents, explosions or fires that may have occurred; and any other information that would be helpful in determining whether a discharge of perchlorate occurred from Meggitt's operations.
2. Any documents pertaining to and/or describing Meggitt's operations in Rialto, Colton and Chino Groundwater Subbasins, including but not limited to maps, plans, diagrams and photographs of the facility and its operations, records pertaining to perchlorate and perchlorate-containing materials, waste disposal records, operating procedures, environmental investigation and remediation reports, and employee lists.

Failure to submit the required information by the specified deadline will subject you to administrative civil liability in the amount of up to \$1,000 per day pursuant to Section 13268(a) and (b) of the California Water Code.

Finally, please be aware that the Board has directed staff to explore alternative ways of solving the water supply problem in the Rialto, Colton and Chino Groundwater Subbasins. In addition, consistent with the Board's direction, we have issued and will continue to issue similar directives to a number of other suspected dischargers who have operated in the Rialto, Colton and Chino Subbasins. Thus, there may be opportunities to cooperate with other entities to implement joint investigations or to



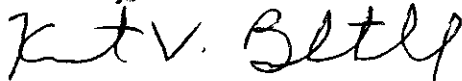
propose solutions that would address the water supply problem. In fact, we believe it would be both scientifically effective and economically efficient for the suspected dischargers subject to these directives to jointly pursue the investigation and to explore water supply replacement options. Further, consistent with the Board's direction, we recommend that the joint efforts of the suspected dischargers consider both the characterization of the contamination and initiation of water supply replacement or treatment strategies. Board staff has experience in managing similar joint investigations and cooperative solutions. If you are interested in discussing such joint efforts, please contact us to arrange a meeting.

Recovery of Regional Board Expenses

California Water Code Section 13365 addresses the billing process for the Regional Board to recover reasonable expenses for overseeing investigation of illegal discharges, contaminated properties, and other unregulated releases that may adversely affect the State's waters. It is the Regional Board's intent to recover such costs for regulatory oversight work conducted in accordance with this order. A description of the Board's procedure for cost recovery for regulatory oversight of investigations and cleanups will be sent to you under separate cover.

If you have any questions about this letter, please contact Kamron Saremi at (909) 782-4303 or you may call Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,



for Gerard J. Thibeault
Executive Officer

Enclosures:

1. Well Location Map, showing perchlorate contamination in municipal water supply wells.
2. American Explosives, Application for Building Permit, Department of Building and Safety, City of Rialto.
3. Diagram of explosive storage bunkers, Rialto, California.
4. Corporate Records & Business Registrations, Westlaw, June 28, 2002.
5. Excerpt from Pacific Telephone and Telegraph Company Directory, 1970.
6. Letter from O.D. Peters, Trojan Fireworks Co., to City of Rialto Planning Commission, January 9, 1973.
7. Tasker Industries, California Secretary of State, corporate records, March 5, 2003.
8. Escrow Instructions, Union Bank, April 24, 1974.
9. Press Release, Meggitt PLC, July 14, 1999; Schedule 14D-1, Securities and Exchange Commission.
10. Mailing List



cc (w/out enclosures):

Regional Board members

Jorge Leon, Office of Chief Counsel, SWRCB

Wayne Praskins, U.S. EPA, Region IX

Inland Empire Perchlorate Task Force members (mailing list attached)



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464 W. Fourth St., Ste. 437
San Bernardino, CA 92402

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West Valley Water District
P.O. Box 920
Rialto, CA 92377-0920

Wendy Arano
California Dept. of Toxic Substances Control
Geology & Corrective Action Branch
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Cypress, CA 90630

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Drinking Water Field Operations Branch
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Fresno, CA 93720

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Rialto, CA 92736

Eric Fraser
City of Colton
Public Utilities Department
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Musick, Peeler & Garrett
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Thirty-second Senatorial District TEST 1
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Ontario, CA 91762

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California State Water Resources Control Board
Legal Division
1001 "I" Street, 22nd Floor
Sacramento, CA 95814

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Law Offices of Susan M. Trager
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Irvine, CA 92612

Leon Long
West Valley Water District
P.O. Box 920
Rialto, CA 92377-0920

Mike McGraw
Fontana Water Company
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Fontana, CA 92335

Tim Mim Mack
City of Rialto
P. O. Box 920
Rialto, CA 92376

Matt Mitguard
U.S. EPA, Region IX (Region 9)
75 Hawthorne Street
San Francisco, CA 94105-3901

Sarah Mueller
U. S. EPA - Region 9
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San Francisco, CA 94105

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Rialto, CA 92376

Dennis Parfitt
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Division of Clean Water Programs
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Wayne Praskins
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San Francisco, CA 94105

Tim Ryan
San Gabriel Valley Water Company
Fontana Water Company
11142 E. Garvey Ave.
El Monte, CA 91732

Tom Soto
PS Enterprises
3350 Ocean Park Blvd., Ste. 205
Santa Monica, CA 92405

Nell Soto
Thirty-second Senatorial District
The Honorable Senator Nell Soto
State Capital, Room 4074
Sacramento, CA 95814

Lynn Takaichi
Kennedy/Jenks Consultants, Inc.
1000 Hill Rd., Suite 200
Ventura, CA 93003

Gene Tanaka, Esq.
Best, Best & Kreiger
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Riverside, CA 92501

Gary Tavetian
California Office of the Attorney General
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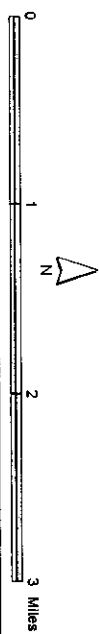
Glen Yabuno
County of San Bernardino
Specialized Prosecutions Unit
412 W. Hospitality Lane, Ste. 301
San Bernardino, CA 92415-0023

Robert Young
San Gabriel Valley Water Company
Fontana Water Company
11142 E. Garvey Ave.
El Monte, CA 91732

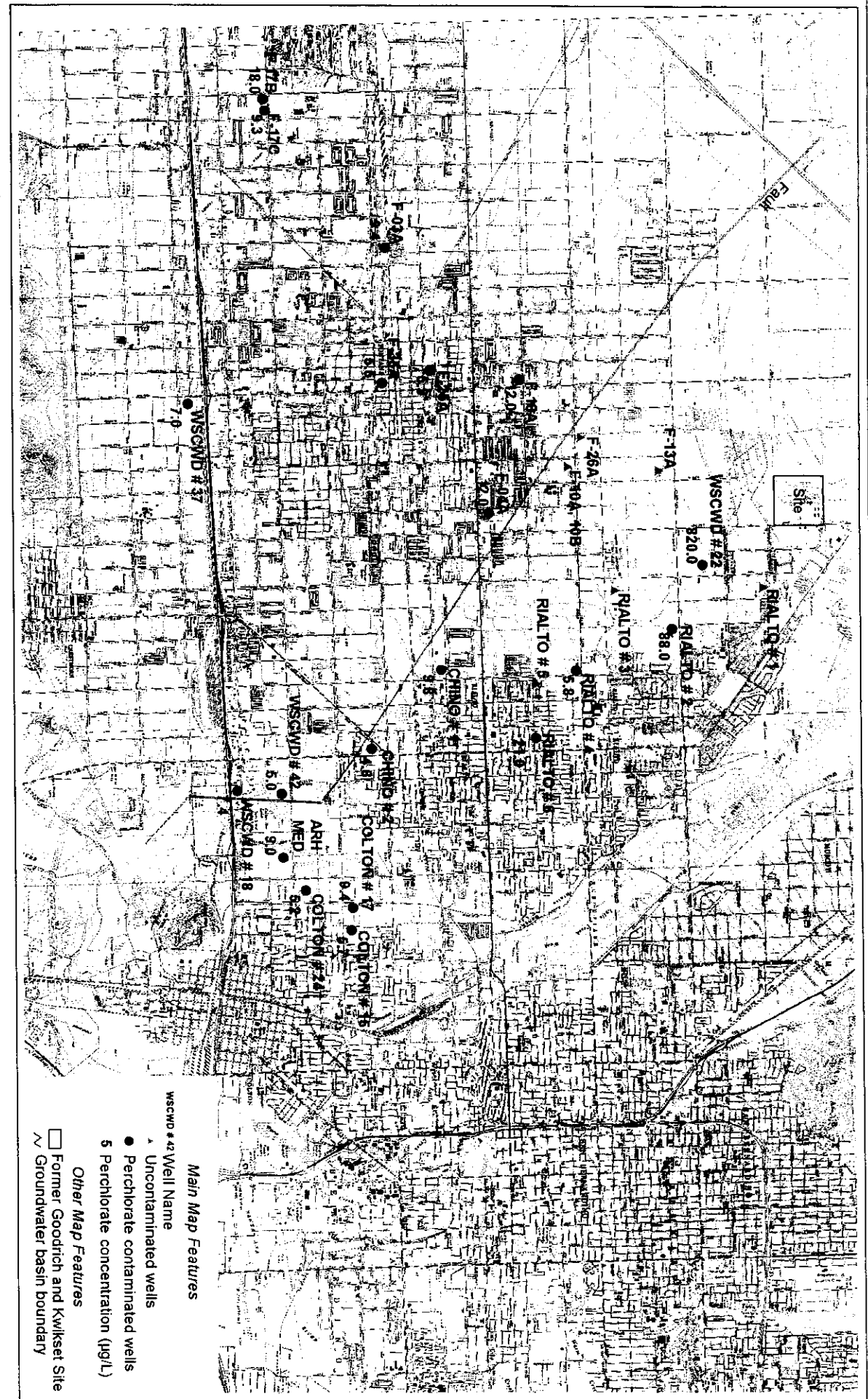
Aaron Yue
California Dept. of Toxic Substances Control
Geology & Corrective Action Branch
5796 Corporate Ave.
Cypress, CA 90630

ENCLOSURE 1

Well Location Map showing perchlorate contamination in
municipal water supply wells



WELL LOCATIONS AND PERCHLORATE CONCENTRATIONS



- Main Map Features**
- WSCWD #42 Well Name
 - Uncontaminated wells
 - Perchlorate contaminated wells
 - Perchlorate concentration (µg/L)
- Other Map Features**
- Former Goodrich and Kwikset Site
 - Groundwater basin boundary

Enclosure 2

APPLICATION FOR BUILDING PERMIT

BUILDING PERMIT # 24777 Date 12-26,
PLUMBING PERMIT #
ELECTRICAL PERMIT # 21254
SEWER PERMIT #

Street Address	Lot	Block	Tract
98- STONEHURST ALDER			
Owner	Address		Tel.
AMERICAN EXPLOSIVES	STONEHURST ALDER		
Contractor	Address		Tel.
DEWITT CONST.	1785 So SYCAMORE		877-2772
Architect	Address		Tel.
C. VAN DAM	ONTARIO		

Was this parcel divided prior to January 4, 1954? Yes _____ No _____
If no, was this division approved by the City Council? Yes _____ No _____

Use of Bldg. ① 16x25-10x8		Sq. Ft. 416 7/8	Size of Lot		Roof Covering METAL	No. of Rooms 1 BR.
Size of Garage	Wall Covering	Exterior METAL	Check One	Cornor Lot	Patio	Open Slab
Carport		Interior METAL		Interior Lot		Covered Unenclosed
						Screened

Notes:

Application is hereby made for a building permit in accordance with the description and for the purpose set forth above. I agree to comply with all applicable City Building and Zoning Ordinances and State Laws.

① 16'x25'-10"x8' BUTLER BOX. N/A J. Gade Owner or Authorized Agent									
Zone	Type	Group	Fire Zone	Value	Fees	Satbacks	Front	Side	Rear
				2500.	9.00				

$$\frac{400}{1350}$$

APPLICATION FOR PLUMBING PERMIT

Description of Work	No.	Fee	Description of Work	No.	Fee
Bathtub			Vacuum Breakers		
Shower			Floor Drn. or Sink		
Lavatory			Bar Sink		
Kitchen Sink			Gas Pipe System		
Wash Tray			Heating Plant		
Water Closet			Water Softener		
Auto. Washer			Water Heater		
Urinals			Lawn Sprinkler		
Dish Washer			Disposal System		
Garbage Disp.			Misc.		
			Permit Fee		
			TOTAL		

Cluster

I certify that I am the owner of the above described property and will personally purchase all materials and do all the work myself.

Overview

APPLICATION FOR ELECTRICAL PERMIT

Description of Work	No.	Fee	Description of Work	No.	Fee
Lighting Out.	5	50	Main Swch. AMP		
Switches	3	20	Serv. Con. Size		
Plug Rec.	6	60	Conductors		
Water Heater			Lighting Circuits		
Ranges			Range. Circuits		
Air Heater			Water Heater		
Service			Signs		
Motors H.P.			Misc.		
Tamp. Power Pole					
Misc.					
Permit Fee		25			
TOTAL		155			

Electronics

I certify that I am the owner of the above described property and will personally purchase all materials and do all the work myself.

Owner

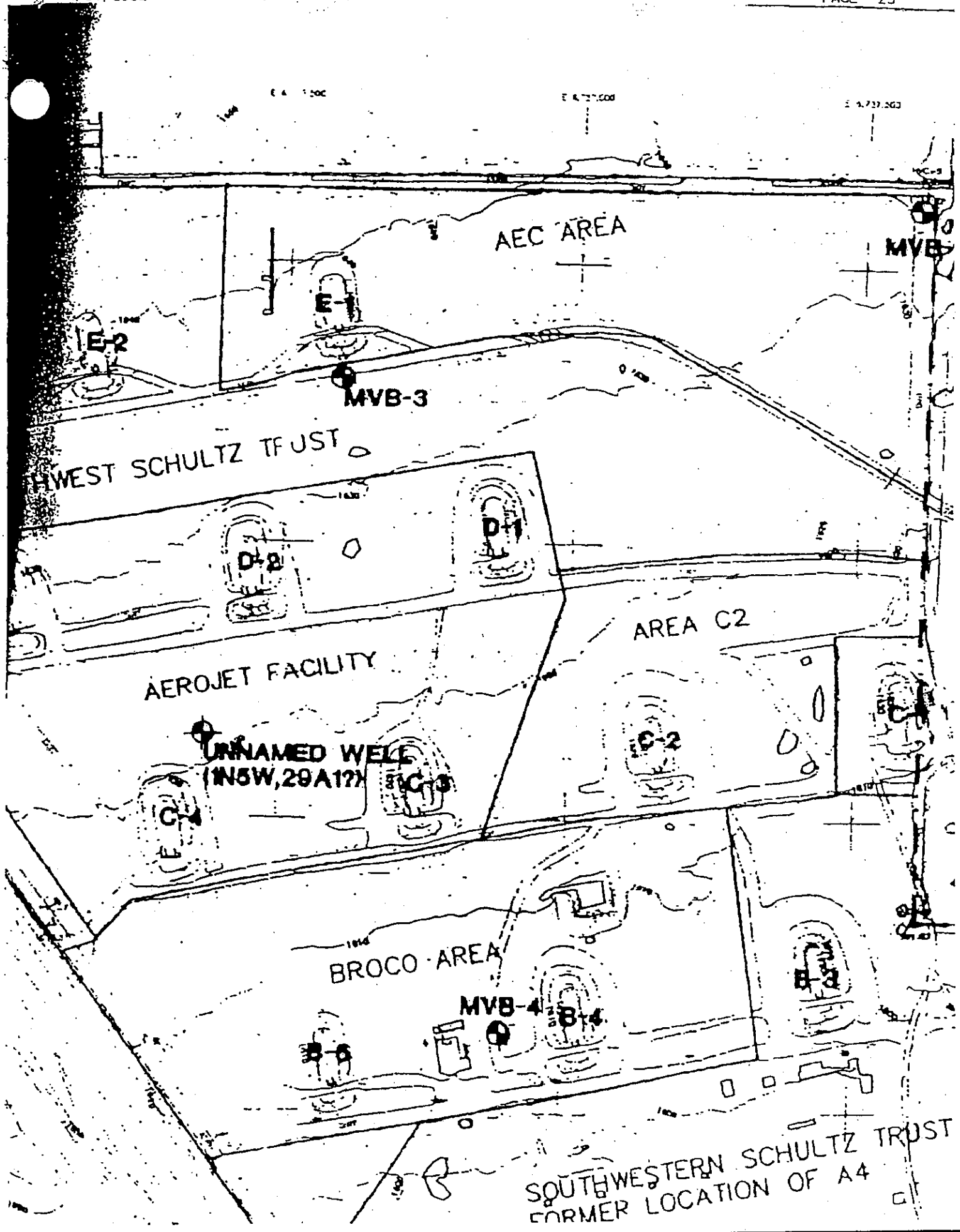
S
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03

17

Enclosure No. 3



Enclosure No. 4

Citation
51654706413

Search Result

Rank(R) 2 of 147

Database
CORP-ALL

51654706413

CORPORATE RECORDS & BUSINESS REGISTRATIONS

This Record Last Updated: 06/28/2002
Database Last Updated: 09-26-2002
Update Frequency: Weekly
Current Date: 09/26/2002
Source: As reported by the Secretary of State or other official source

COMPANY INFORMATION

Name: DELTA T., INC.

NAME INFORMATION

Former Name: AMERICAN EXPLOSIVES CO., INC.
Former Name: AMEX PRODUCTS, INC.

FILING INFORMATION

Filing Date: 07/31/1964
State of Incorporation: California
Date Incorporated: 07/31/1964
Status: DISSOLVED
Corporation Type: Profit
Business Type: Corporation
Address Type: Mailing
Registration ID#: C0475451
Where Filed: SECRETARY OF STATE/CORPORATIONS DIVISION
1500 - 11TH STREET
SACRAMENTO, CA 95814

AMENDMENT INFORMATION

Amendments: 08/06/1970 Dissolution Of Corporation;
CERTIFICATE OF DISSOLUTION WAS FILED
09/02/1969 Name Change; AMEX PRODUCTS, INC.
08/22/1969 Notice Of Dissolution; CERTIFICATE
OF ELECTION TO DISSOLVE WAS FILED
01/22/1968 Name Change; AMERICAN EXPLOSIVES
CO., INC.
08/18/1966 Miscellaneous; RESTATED ARTICLES
06/02/1966 Miscellaneous; CERTIFICATE OF
AMENDMENT FILED
05/19/1966 Miscellaneous; CERTIFICATE OF
AMENDMENT FILED

TAX INFORMATION

51654706413

Franchise Tax Details:
Status:

Good Standing

ADDITIONAL DETAIL INFORMATION

The preceding public record data is for information purposes only and is not the official record. Certified copies can only be obtained from the official source.

Enclosure No. 5

Rental Service

ers' Equipment & Supplies—Renting
ervice Stores & Yards
to a heading descriptive of the
d equipment.

Price

Escrow Inc.
1739 North D St SBdo. 882-2926
CALIFORNIA N A THE
La Cadena Dr & C Ctn. 825-0141
ERIAN TITLE COMPANY
BERNARDINO
323 W Court SBdo. 889-0311

**FEDERAL SAVINGS
ASSN.**

ardino's **Santa Fe Federal Savings**

ned
& Loan
a Year

OFFICES

Fe Federal Savings & Loan
n 1604 E Highland SBdo. 889-0231
Fe Federal Savings & Loan
14066 N Sierra Wy SBdo. 889-0231
Fe Federal Savings & Loan
Assn 479 W 4th SBdo. 889-0231

MAIN OFFICE

Fe Federal Savings & Loan
Assn 701 North E SBdo. 889-0231

PACIFIC NATIONAL BANK

JS

IAL
ER

FONTANA BRANCH

y Pacific National Bank
B Arrow Fon. 822-1155

RAND TERRACE BRANCH

y Pacific National Bank
1 Barton Rd Ctn. 783-1833

ALTO-RIVERSIDE BRANCH

y Pacific National Bank
S Riverside Rito. 875-6000

SCROW CO

17169 Slovr Fon. 822-7062

IN CITIES ESCROW CO**AST EFFICIENT
ESCROW SERVICE**

George Maudsley & Carol Kelly

Arrowhead SBdo. 886-4741

ne right number when you
's natural to trust to mem-
st when memory plays tricks
telephone number, you're
When you are not sure of
er—won't you look it up in
phone directory?

Excavating Contractors**BRINDLEY CHAS**

LOT CLEANING
GRADING
TOP SOIL - FILL DIRT
LICENSED CONTRACTOR

26362 Base Line Highland... 862-2339

Creswell Paving

See Our Ad under Contrs-Paving
9361 Sierra Fon. 822-2107
East R H Truck Crane Service
210 Fogg Ctn. 825-4144

HANSEN MARSHALL D

PRECISION EXCAVATION
BACKHOE - TRENCHING

Emergency Service
To Contractors
DAY OR NIGHT
18177 Hawthorne Blm. 822-5522
Or call 877-2327

Jansen Don Back-Hoe Service... 687-5028
(Please See Advertisement This Page)
Leonard J C 18295 Hawthorne Blm. 822-1625
Peterson Bros Equip Co
23985 1/2 Redlands SBdo. 825-0871
(Please See Advertisement This Page)
Yeager E L Construction Co Inc.
1995 Agua Mansa Rd Riv. 877-2250

When you need a service offered
by a city, county, state or federal
government agency try the new
easy reference guide of frequently
called numbers under "Govern-
ment Offices".

Excavating & Ditching Equipment

Duncan Warren Excavating Equip
1600 Penna Ctn. 825-1546

Experimental Work

Harshman's Precision Mach Shop
6929 Palm Highland. 862-4367

Good party-line neighbors are con-
siderate party-line users. Remem-
ber these golden rules:

- Make certain, if you are using
a dial telephone, that the line
is clear before you dial.
- Space your calls instead of mak-
ing several without a break.
- Talk only as long as necessary
on each call.
- When you finish talking replace
the receiver properly.
- Ask your youngsters to be con-
siderate, too.

Explosives**AMEX PRODUCTS**

DESIGN, TESTING
FABRICATION OF
PYROTECHNIC &
EXPLOSIVE DEVICES
Military & Commercial

**FOR INFORMATION CALL**

PLANT & GENERAL
OFFICE

AMEX PRODUCTS DIVISION OF
TASKER INDUSTRIES
2298 W Stonehurst Fon. 823-1395

TEST RANGE

AMEX Products Division of Tasker
Industries
Test Range Alder Fontana... 823-1577

AMEX Products Division of Tasker
Industries

Test Range Alder Fon. 823-1577
2298 W Stonehurst Fon. 823-1395

DUPONT EXPLOSIVES

MARGRAF EXPLOSIVE INC
16782 Arrow Fon. 822-1181

Explosives Engineering Corp.
Highland & Alder Fon. 822-2480
Margraf Explosive Inc
16782 Arrow Fon. 822-1181

Express Forwarding

Greyhound Bus Lines
16872 Sprng Fon. 822-9988
Los Angeles City Express SanBernardino
From the following exchanges only
Fontana
(No Charge) Ask Operator for Zenith 70889
R E A EXPRESS
Formerly Railway Express Agency Inc
564 W Rialto SBdo. 884-8296
Railway Express Agcy Inc
16870 Sprng Fon. 822-1547

Exterminating

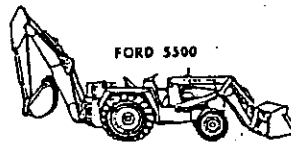
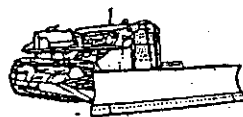
See
Pest Control
Termite Control

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EXTRA LISTINGS**

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calls.

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Will Direct You

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UP TO 20' DEPTH

EXCAVATING



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SEWERLINES
WATERLINES
FOUNDATIONS
SKIPLoader
FINISH GRADING

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"EXPERIENCED OPERATORS"

DON JANSEN
BACKHOE SERVICE

RIVERSIDE

SMALL & LARGE JOBS - HOURLY RATE

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TELEPHONE
NUMBERS**

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found more quickly in
the Classified Tele-
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Enclosure No. 6

TROJAN FIREWORKS CO. • 13500 EXCELSIOR DRIVE • NORWALK, CALIFORNIA 90650

address mail inc P.O. Box 444 • cable address: TROJFIRE • phone (213) 921-1466 • (714) 321-4747

January 9, 1973



City of Rialto
Planning Commission
Mr. Richard E. Downing, Director
150 South Palm Avenue
Rialto, California 92376

Re: APPLICATION FOR CONDITIONAL DEVELOPMENT,
2-1/2 Acres N/E Corner Stonehurst and
Alder Streets, Rialto, California

Gentlemen:

We respectfully submit herewith our application for conditional development of the stated property, now located in the City of Rialto.

It is our intention to re-activate this plant and manufacture only California "safe and sane" commercial fireworks as approved by the State Fire Marshal for retail sale each fourth of July season. Although this facility was formerly licensed and used by American Explosives Company (AMEX) for production of military pyrotechnics, we do not intend to engage in the production of Class A explosives, but limit it to Class C only.

The plot plan submitted herewith indicates the proposed usage of existing structures. Storage, both existing and proposed, will most likely consist of only such raw materials as paper tubes, paper cones, corrugated shipping containers, adhesives, labels, etc. Chemical storage is scheduled for our facilities immediately to the north in the former government bunkers where we operate our display fireworks division, known as Astro Pyrotechnics. As goods are finished in this facility they will be dispatched to our Norwalk warehouses via our own vehicular equipment, for final assembly and packaging.

Any doubts as to the ability of our company to set-up, maintain and operate such a facility can readily be answered. The petitioner, O. D. Peters, president, has over 27 years experience in this field; our vice-president, Mr. B. W. Wells is probably one of the outstanding pyrotechnicians in the world

Continued

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City of Rialto
Planning Commission

Page -2-
January 9, 1973

(see resume attached), and the plant superintendent, Mr. Gerald Gerth is likewise well-versed in the field, being a graduate chemical engineer from California Institute of Technology.

We look forward to favorable action on our application, and pledge our efforts to making this a production facility that will please the administrators and citizens of Rialto. If further facts or information is needed, please call on us.

Yours very truly,

TROJAN FIREWORKS CO.



O. D. Peters,
President

ODP;dv

Enc.

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Enclosure No. 7

[AutoTrack Home](#) [Feedback](#) [Results Manager](#) [New Search](#) [Sign Off](#) [Help/Support](#) [Permissible Use](#) [Reference: GRICH7103](#)

Detail

Corporate Records



[Order a Report based on this Detail](#) | [Previous Screen](#)

CALIFORNIA SECRETARY OF STATE			
Name:	TASKER INDUSTRIES		
Type:	ARTICLES OF INCORPORATION		
Status:	INACTIVE - MERGED OUT		
Date Incorporated:	10/24/1956	Foreign State of Incorporation:	CALIFORNIA
Corporation Number:	C0328628	FEI Number:	

Corporation Officers:

Corporation Addresses:

Additional Corporation Information:	
Date:	09/17/1957
Type:	CERTIFICATE OF AMENDMENT
<hr/>	
Date:	03/20/1959
Type:	CERTIFICATE OF AMENDMENT
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Date:	11/22/1961
Type:	CERTIFICATE OF AMENDMENT
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Date:	02/05/1964
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Date:	12/22/1966
Type:	CERTIFICATE OF AMENDMENT
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Date:	12/23/1968
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Date:	06/12/1969
Type:	CERTIFICATE OF AMENDMENT
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Date:	08/29/1969
Type:	CERTIFICATE OF AMENDMENT

Date: 06/04/1970
Type: CERTIFICATE OF AMENDMENT

Date: 10/28/1972
Type: CERTIFICATE OF AMENDMENT

Date: 02/20/1970
Type: MERGER
MERGED IN 60039722 ELECTRONIC RESOURCES, INC.

Date: 10/29/1972
Type: MERGER
OUTGOING-MERGED INTO 60039723 WHITTAKER CORPORATION

Date: 10/29/1972
Type: MERGER
OUTGOING-MERGED INTO C0219185 60039723 WHITTAKER CORPORATION

Date: 02/20/1970
Type: MERGER
MERGED IN C0559441 60039722 ELECTRONIC RESOURCES, INC.

Enclosure No. 8

AES
LS
3/25
3/25
RLH
KYB
3/25
3/25

NORMAN S. BERLINER
ATTORNEY AND COUNSELOR AT LAW
330 SOUTH MISSION ROAD
LOS ANGELES, CALIFORNIA 90033
(323) 269-8228
FAX (323) 269-1244

File: Pyro Spectacular
(Astro Pyrotechnics)

March 21, 2003

Mr. Kameron Saremi
California Regional Water Quality
Control Board - Santa Ana Region
3737 Main Street, Suite 500
Riverside, California 92501-3348

Re: Thomas O. Peters - Property at 2298 West Stonehurst,
Rialto, California

Dear Mr. Saremi:

Please remember that we have had some telephone conversations about this property concerning the problem of perchlorate contamination.

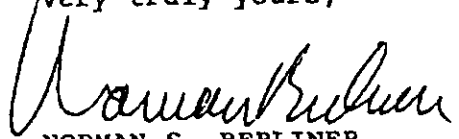
At our last conversation you requested that I identify the property by legal description so that you can be sure we are talking about the same location.

In response to your request, I am enclosing herewith two legal descriptions with a Plot Map attached to each one showing the location of the property, which actually constitutes three (3) different lots.

I am writing because I did not think the legal descriptions would reproduce intelligibly.

You can call me at the above number. I am in the office almost every afternoon. Otherwise, I will call you in a few days.

Thank you again for your cooperation and help.

Very truly yours,

NORMAN S. BERLINER

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Encls.

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Union Bank

CENTURY CITY OFFICE
ESCROW DEPARTMENT
ESCROW INSTRUCTIONS

ESCROW No. 206-480

DATE APRIL 24, 1974

TO UNION BANK

The previous instructions in the above numbered escrow are hereby modified—supplemented and/or amended in the following particulars only:

The undersigned WHITTAKER CORPORATION hands you herewith a Grant Deed to ROBERT LEONARD KINNARD, a married man, covering property described as:

The east 150 feet, measured along the northerly line thereof, of that portion of the south 660 feet of the northwest $\frac{1}{4}$ of Section 28, Township 1 North, Range 5 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to the official plat thereof, described as follows:

Commencing at a point in the south line of said northwest $\frac{1}{4}$, distant North $89^{\circ} 31'$ West 1319.36 feet thereon from the center of said Section 28; thence along a line that bears North $0^{\circ} 32'$ West to a point that bears South $0^{\circ} 32'$ East 150.32 feet from the North line of said South 660 feet; thence South $79^{\circ} 37'$ West to a point in the west line of said Section 28 for the true point of beginning; thence North $0^{\circ} 37' 45''$ West 390 feet to the northwest corner of the South 660 feet of the northwest $\frac{1}{4}$ of said section 28; thence South $89^{\circ} 31'$ East 300 feet along said north line; thence South $0^{\circ} 37' 45''$ East to a point in a line that bears North $79^{\circ} 37'$ East from the true point of beginning; thence South $79^{\circ} 37'$ West to the true point of beginning.

You are authorized to use and record said Deed without further consideration to the Seller when Title Insurance and Trust Company can re-issue their Policy of Title Insurance No. 658439 showing a corrected legal description to include the property described above, said property being subject only to all 1974-1975 general and special taxes and items 1 thru 3 as shown on that certain Preliminary Report of Title #675533 dated February 11, 1974. Instruct the title company to affix \$-0- Documentary Transfer Tax to the Deed.

The parties will hand you sufficient funds in order to enable for you to comply with these instructions and in accordance with the original Escrow Instructions.
END OF INSTRUCTIONS.

EACH OF THE UNDERSIGNED STATES HE HAS READ THE FOREGOING INSTRUCTIONS AND UNDERSTANDS AND AGREES TO THEM.

WHITTAKER CORPORATION,
a corporation

By: _____

Robert Leonard Kinnard

By: _____

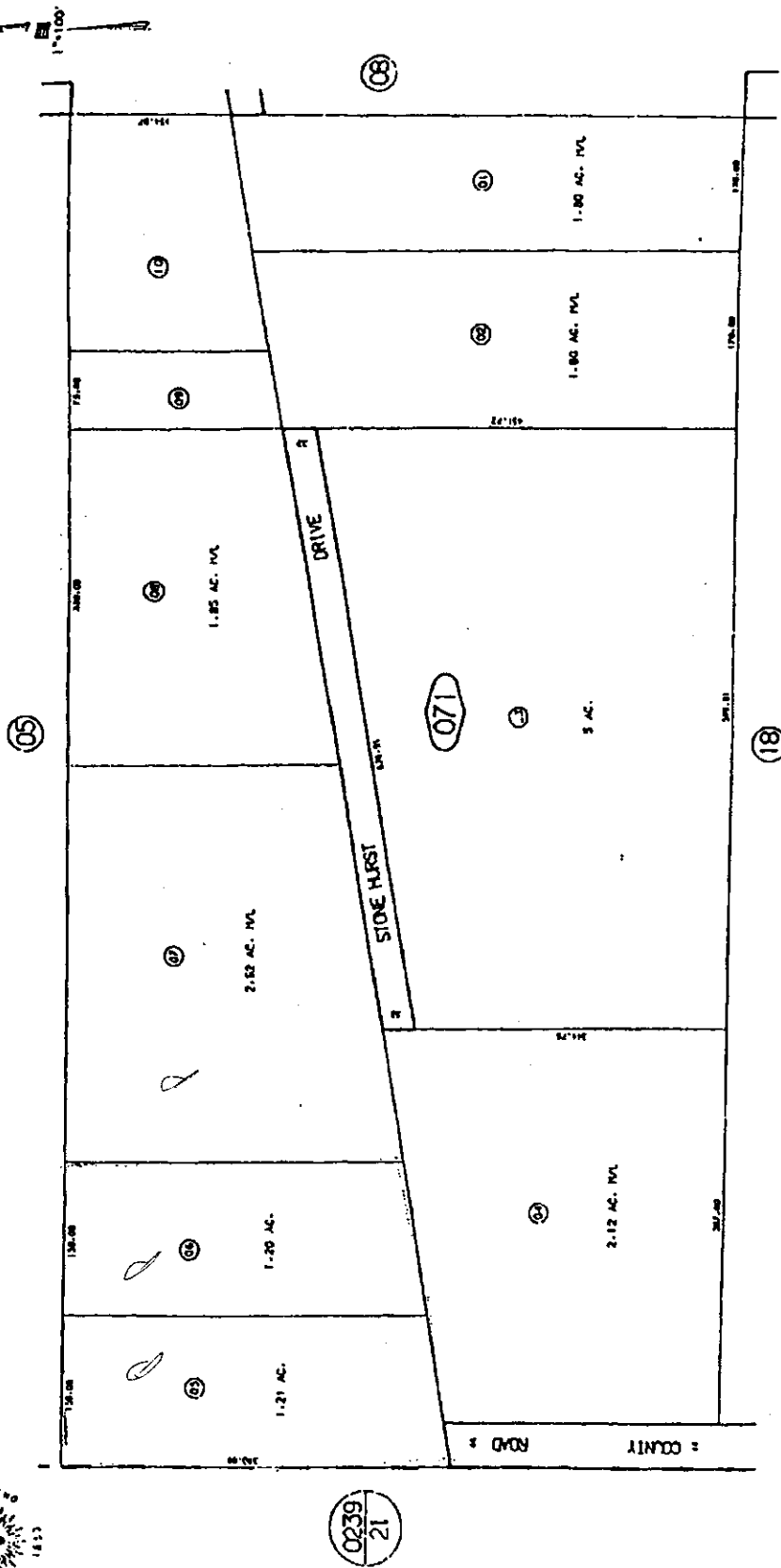
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SNOWBOWS

S. 1/2, S.W. 1/4, N.W. 1/4, Sec. 28, T.1 N., R.5 W., S.B.M. 1133-07
Rialto City
Tax Rate Area
6015

THIS MAP IS FOR THE PURPOSE
OF AD VALOREM TAXATION ONLY.
NOT TO SURVEYOR'S SCALE.



REVISED
03/28/81 K

Assessor's Map
Book 1133 Page 07
San Bernardino County

Per. N.W. 1/4, Sec. 28
T.1 N., R.5 W.

FEB. 1991

Schedule C

The land referred to in this policy is described as follows:

THAT PORTION OF THE SOUTH 660 FEET OF THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH 660 FEET OF SAID NORTHWEST ONE-QUARTER OF SECTION 28; THENCE EAST ALONG THE NORTH LINE OF SAID SOUTH 660 FEET, 300 FEET TO THE NORTHEAST CORNER OF PROPERTY CONVEYED TO WILLIAM L. LYON AND WIFE, BY DEED RECORDED MAY 12, 1955 IN BOOK 3643 PAGE 154, OFFICIAL RECORDS, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING EAST ALONG THE NORTH LINE OF SAID SOUTH 660 FEET TO THE NORTHWEST CORNER OF THE PROPERTY CONVEYED TO JAMES G. JEFFREYS AND WIFE BY DEED RECORDED DECEMBER 31, 1954 IN BOOK 3537 PAGE 326 OFFICIAL RECORDS; THENCE SOUTH ALONG THE WEST LINE OF SAID JEFFREYS PROPERTY TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 79° 37' WEST TO THE SOUTHEAST CORNER OF SAID WILLIAM L. LYON PROPERTY; THENCE NORTH ALONG THE EAST LINE OF SAID LYON PROPERTY TO THE POINT OF BEGINNING.

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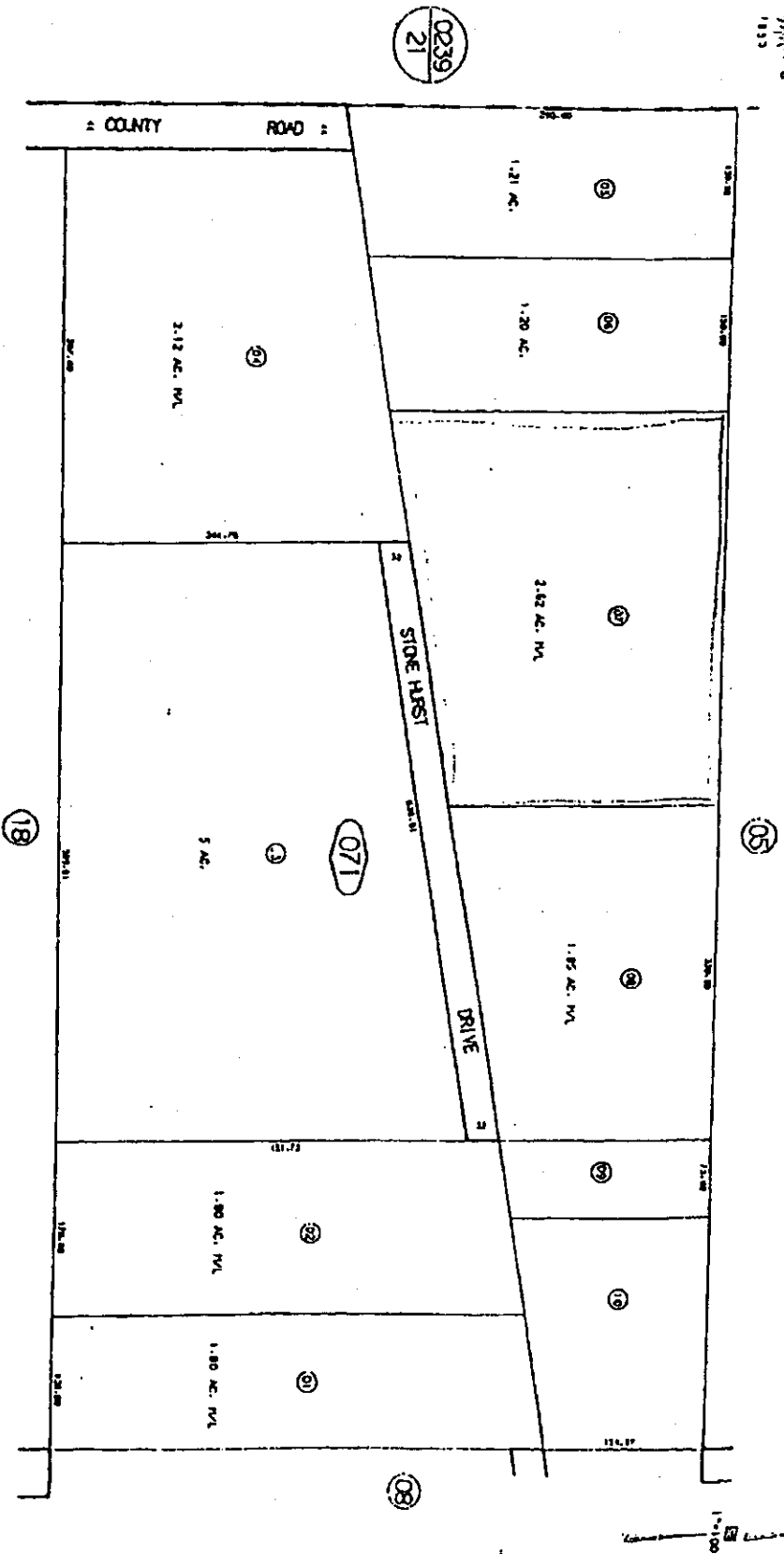
THIS MAP IS FOR THE PURPOSE
OF ASSESSMENT TAXATION ONLY.
NOT TO BE USED FOR ANY OTHER
PURPOSES.



S. 1/2. S.W. 1/4. N.W. 1/4. Sec. 28. T.1 N.. R.5 W., S.B.M.

Rialto City
Tax Rate Area
6015

1133-07



Feb. 1981

Per. N.W. 1/4. Sec. 28
T.1 N.. R.5 W.

Assessor's Map
Book 1133 Page 07
San Bernardino County

RECEIVED
02/26/81

5000-00-00 BROWNS

Enclosure No. 9

-----BEGIN PRIVACY-ENHANCED MESSAGE-----

Proc-Type: 2001,MIC-CLEAR

Originator-Name: webmaster@www.sec.gov

Originator-Key-Asymmetric:

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MIC-Info: RSA-MD5, RSA,

PT0nn/XxsNrgyk+EKTQ4IMSNayWllltxYgsISqp6zr8A6g5j+WXgMYkDntAAaai

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<SEC-HEADER>0000909518-99-000479.hdr.sgml : 19990715

ACCESSION NUMBER: 0000909518-99-000479

CONFORMED SUBMISSION TYPE: SC 14D1/A

PUBLIC DOCUMENT COUNT: 2

FILED AS OF DATE: 19990714

GROUP MEMBERS: MEGGIT PLC

GROUP MEMBERS: MEGGITT ACQUISITION INC.

SUBJECT COMPANY:

COMPANY DATA:

COMPANY CONFORMED NAME:

WHITTAKER CORP

CENTRAL INDEX KEY:

0000106945

STANDARD INDUSTRIAL CLASSIFICATION:

MISCELLANEOUS FABRICATED METAL PRODUCTS (3490)

IRS NUMBER:

954033076

STATE OF INCORPORATION:

DE

FISCAL YEAR END:

1031

FILING VALUES:

FORM TYPE: SC 14D1/A

SEC ACT:

SEC FILE NUMBER: 005-08936

FILM NUMBER: 99664198

BUSINESS ADDRESS:

STREET 1: 1955 NORTH SURVEYOR AVENUE

CITY: SIMI VALLEY

STATE: CA

ZIP: 93063-3388

BUSINESS PHONE: 8055265700

MAIL ADDRESS:

STREET 1: 1955 NORTH SURVEYOR AVENUE

CITY: SIMI VALLEY

STATE: CA

ZIP: 93063-3388

FILED BY:

COMPANY DATA:

COMPANY CONFORMED NAME:

MEGGIT PLC

CENTRAL INDEX KEY:

0001088472

STANDARD INDUSTRIAL CLASSIFICATION:

[]

FILING VALUES:

FORM TYPE: SC 14D1/A

BUSINESS ADDRESS:

STREET 1: FARRS HOUSE

STREET 2: COWGROVE BH21 4EL

CITY: WIMBORNE DORSET UK

BUSINESS PHONE: 01101202847819

MAIL ADDRESS:

STREET 1: FARRS HOUSE

STREET 2: COWGROVE BH21 4EL

CITY: WIMBORNE DORSET UK

</SEC-HEADER>

<DOCUMENT>

<TYPE>SC 14D1/A

<SEQUENCE>1

<TEXT>

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SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

SCHEDULE 14D-1
(AMENDMENT NO. 4)
TENDER OFFER STATEMENT
PURSUANT TO SECTION 14(D) (1)
OF THE SECURITIES EXCHANGE ACT OF 1934

WHITTAKER CORPORATION
(Name of Subject Company)

MEGGITT ACQUISITION INC.
MEGGITT PLC
(Bidders)

COMMON STOCK, \$0.01 PAR VALUE
(Title of Class of Securities)

966680100
(CUSIP Number of Common Stock)

PHILIP E. GREEN
GROUP CORPORATE AFFAIRS DIRECTOR
MEGGITT PLC
FARRS HOUSE, COWGROVE
WIMBORNE, DORSET BH21 4RL, UNITED KINGDOM
011-44-1202-847847
(Name Address and Telephone Number of Person Authorized to
Receive Notices and Communications on Behalf of Bidders)

COPY TO:
ELLEN J. O'DONER, ESQ.
WEIL, GOTSHAL & MANGES LLP
767 FIFTH AVENUE
NEW YORK, NEW YORK 10153

#566516 v9
<PAGE>

TENDER OFFER

This Amendment No. 4 further amends and supplements the Tender Offer Statement on Schedule 14D-1 initially filed on June 15, 1999 (as amended and supplemented, the "Statement") by Meggitt Acquisition Inc., a Delaware corporation (the "Purchaser"), and Meggitt PLC, a public limited company organized under the laws of England and Wales (the "Parent"), relating to the offer by Purchaser to purchase all shares of common stock, \$0.01 par value (the "Shares"), of Whittaker Corporation, a Delaware corporation (the "Company"), at \$28.00 per Share, net to the Seller in cash, on the terms and subject to the conditions set forth in the Offer to Purchase, dated June 15, 1999 (the "Offer to Purchase"), and in the related Letter of Transmittal. The Offer also was made for all shares of Series D Participating Convertible Preferred Stock, \$1.00 par value, of the Company, at \$9,142.87, net to the Seller in cash, on the terms and subject to the conditions set forth in the Offer. Unless otherwise indicated, the capitalized terms used herein shall have the meanings specified in the Statement, including the Offer to Purchase filed as Exhibit (a) (1) thereto.

ITEM 10. ADDITIONAL INFORMATION

The Offer expired at 12:00 midnight, New York City time, on

Tuesday, July 13, 1999. Purchaser accepted for payment 11,386,127 Shares, including 1,088,124 Shares tendered by means of guaranteed delivery. As a result of the Offer, Purchaser now owns in excess of 92% of the Company's approximately 12.3 million outstanding Shares and intends promptly to complete the acquisition by means of a merger with the Company. On July 14, 1999, Parent issued a press release, the text of which is set forth as Exhibit (a)(11) hereto, and is incorporated by reference herein.

ITEM 11. MATERIAL TO BE FILED AS EXHIBITS

(a)(11) Text of Press Release of Parent dated July 14 1999.

2

<PAGE>

SIGNATURE

After due inquiry and to the best of my knowledge and belief, the undersigned certifies that the information set forth in this statement is true, complete and correct.

Dated: July 14, 1999

MEGGITT ACQUISITION INC.

By: /s/ Bennett F. Moore

Name: Bennett F. Moore
Title: Vice President and Secretary

MEGGITT AMERICA, INC.

By: /s/ Bennett F. Moore

Name: Bennett F. Moore
Title: President

MEGGITT-USA, INC.

By: /s/ Bennett F. Moore

Name: Bennett F. Moore
Title: President and Secretary

MEGGITT INTERNATIONAL LIMITED

By: /s/ Philip E. Green

Name: Philip E. Green
Title: Director

MEGGITT PLC

By: /s/ Philip E. Green

Name: Philip E. Green
Title: Group Corporate Affairs Director

3

<PAGE>

EXHIBIT INDEX

EXHIBIT

 (a) (11) Text of Press Release of Parent dated July 14, 1999

4
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 </DOCUMENT>
 <DOCUMENT>
 <TYPE>EX-99
 <SEQUENCE>2
 <TEXT>

Exhibit (a) (11)

MEGGITT PLC

TENDER OFFER FOR WHITTAKER CORPORATION
 SUCCESSFULLY COMPLETED

Meggitt PLC ("Meggitt") announces the successful completion of its tender offer to purchase all of the outstanding shares of common stock of Whittaker Corporation at US\$28 net per share in cash.

The tender offer expired, at 12:00 midnight, New York City time, on Tuesday, 13 July 1999. Meggitt accepted for payment 11,386,127 shares of Whittaker's common stock, including 1,088,124 shares tendered by means of guaranteed delivery.

As a result of the tender offer, Meggitt now owns some 92% of Whittaker's approximately 12.3 million outstanding shares of common stock and intends promptly to complete the acquisition by means of the merger of Whittaker with a wholly-owned Meggitt subsidiary.

Mike Stacey, Chief Executive, said "I am very pleased to be able to announce the completion of our tender offer for Whittaker Corporation. This acquisition is an important milestone in the strategic development of Meggitt and I look forward to the future of the enlarged Group with considerable confidence".

</TEXT>
 </DOCUMENT>
 </SEC-DOCUMENT>
 -----END PRIVACY-ENHANCED MESSAGE-----

EXHIBIT 21



California Regional Water Quality Control Board

Santa Ana Region

Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (909) 782-4130 - FAX (909) 781-6288



Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.

October 21, 2003

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Eric G. Lardiere
Whittaker Corporation
1955 N. Surveyor Avenue
Simi Valley, CA 93063

DIRECTIVE TO SUBMIT A WORK PLAN AND CONDUCT A PERCHLORATE INVESTIGATION IN THE VICINITY OF 2298 WEST STONEHURST, CITY OF RIALTO, SAN BERNARDINO COUNTY, CALIFORNIA

Dear Mr. Lardiere:

Thank you for your response to my June 26, 2003 Directive to Conduct a Records Investigation and Submit a Report Concerning Perchlorate Discharges (Directive) in the Rialto, Colton and Chino Groundwater Basins, San Bernardino County. The Directive was issued to Meggitt-USA, Inc., and Whittaker Corporation (Whittaker). Your response states that Whittaker is an indirect, wholly owned subsidiary of Meggitt-USA, Inc., and therefore Meggitt-USA is a separate corporation with no affiliation to the former facility in Rialto. You have requested that all of our communication regarding the former Amex/Whittaker facility at 2298 West Stonehurst, Rialto, be addressed to Whittaker.

Your letter states that Whittaker owned a majority share of Tasker Industries, Inc., (Tasker) prior to Tasker merging into Whittaker in October of 1972; that Tasker acquired Amex Products, Inc., (Amex) including real properties located at 2298 West Stonehurst, Rialto, in 1969; and that Tasker operated Amex until approximately April of 1971. However, a Union Bank Escrow Department document provided to Board staff by the current owner of the property indicates that Whittaker continued to own the property until its sale to Robert Kennard in 1974. Your response also states that you have conducted a search of Whittaker records for information and documents responsive to my Directive. You have provided copies of certain Whittaker telephone directories; Amex products listings; descriptions of Amex facilities, machinery and equipment; and one Tasker employee list. According to your response, you have not located any additional records at this time.

According to the 1969 Amex Products, Inc., Product Information and Pricing document, provided with your response, Amex was in the business of manufacturing flares and ordnance; leased at least one of the former bunker buildings located on property

California Environmental Protection Agency



Recycled Paper

October 21, 2003

adjacent to the Stonehurst address; operated a chemical laboratory; utilized two buildings (located west of the former bunker) for powder mixing; and operated a test range located on 15 acres northwest of the Amex plant, that included a permanent test stand.

Our research indicates that it is common practice to use perchlorate salts as oxidizers in the manufacturing of flares and ordnance. More specifically, the Contemporary Trade Formula Chart identifies the use of 15%-73% perchlorate in certain Amex products (see Enclosure 5). In addition, Whittaker is known to have used perchlorate in its manufacturing of flares and ordnance at other facilities, such as the former Santa Clarita military flare and munitions facility and facilities outside of California. Based on the evidence, Whittaker's subsidiary, Amex, is suspected of having discharged perchlorate waste that has adversely affected water quality.

This letter sets forth a requirement under California Water Code Section 13267 that Whittaker conduct an investigation to define the lateral and vertical extent of perchlorate in soil and groundwater in the vicinity of 2298 West Stonehurst, Rialto, including the bunker and test range areas. As required by that provision, this letter contains an explanation of the need for the investigation, and cites evidence supporting the requirement.

Background

Perchlorate contamination was first detected in groundwater in the Rialto, Colton, and Chino Groundwater Subbasins in 1997. At that time, the California Department of Health Services (DHS) Action Level (AL) for perchlorate in drinking water was 18 parts per billion (ppb). Two wells had perchlorate levels exceeding 18 ppb and were shut down. In January 2002, the DHS lowered the AL to 4 ppb. In response to the reduced AL for perchlorate, the local water purveyors in the Rialto, Colton and Chino Groundwater Subbasins restricted or eliminated the use of additional production wells with perchlorate concentrations that exceeded 4 ppb. Between 1997 and the present, various suspected perchlorate dischargers, including former and current occupants of your property on Stonehurst, have been identified.

Requirement for an Investigation

The Regional Board has directed staff to issue individual letters under California Water Code Section 13267 to suspected perchlorate dischargers in the Rialto and Colton Groundwater Subbasins. Several letters similar to this one have already been issued over the last several months to other suspected dischargers and to the owners of affected properties. The Board also expressed a strong desire that suspected perchlorate dischargers work with the local water purveyors to provide a supply of replacement water during the loss or limited use of their production wells.

California Environmental Protection Agency



Recycled Paper

October 21, 2003.

The Need for the Investigation

The Santa Ana Regional Water Quality Control Board is charged with the protection of water quality in this Region. We have been working actively with the water purveyors for several years to identify the extent and address the impact of perchlorate contamination on water resources in the Rialto, Colton and Chino Groundwater Subbasins. The water purveyors whose wells have been contaminated with perchlorate now face a state of emergency, and may not be able to provide an adequate water supply to their customers. It is urgent that the sources of the contamination be identified, and the magnitude of the perchlorate plume defined.

Evidence Supporting the Need for the Investigation

Enclosed are the following documents:

1. Well Location Map, showing perchlorate contamination in municipal water supply wells in the vicinity of Rialto, Colton and Fontana, California.
2. Amex Products List including emergency signal flare kits, underwater illumination flares, mortar system, and chaff dispersing rocket heads.
3. Amex Facilities – Description of Buildings, machinery, and equipment.
4. Union Bank Escrow Instructions and Assessor's Map for the sale of Parcel NW 1/3 Section 28, Township 1 North, Range 5 West, located adjacent to West Stonehurst Drive, Rialto to Robert Kennard from Whittaker Corporation dated April 24, 1974.
5. Contemporary Trade Formula Chart identifying certain Amex products and their likely percentage of perchlorate.
6. City of Santa Clarita - Whittaker-Bermite Property Clean-Up Information Sheet and article from Todd Engineers: Whittaker Perchlorate Contamination in Santa Clarita Valley.
7. California Department of Toxic Substances Control-Profile Report of Whittaker-Bermite Facility in Saugus, CA.
8. U.S. EPA Federal Register Notice of Deletion of Whittaker Corporation Superfund Site in Minnesota from Federal Registry.



October 21, 2003

The evidence indicates that Amex (subsidiary of Whittaker) manufactured, stored, handled, tested, and burned flares, underwater flares, and ordnance, likely containing perchlorate salts, at the property located at 2298 West Stonehurst, Rialto, California. As a previous owner/occupant of the property, you bear legal liability under California law for discharges that have adversely affected water quality. This evidence supports the requirement for an investigation as defined in Section 13267(b)(1) of the California Water Code.

Deadlines

1. A work plan for a soil and groundwater investigation for perchlorate in the vicinity of the former Whittaker property at 2298 West Stonehurst, Rialto must be submitted to Board staff no later than December 16, 2003. The work plan must include a detailed time schedule for the tasks to be conducted. The work plan and time schedule will be subject to my approval.
2. The investigation must commence within 30 days of my approval of the work plan.
3. All analytical results, groundwater measurements, and field information are to be submitted by fax to Board staff within 24 hours of being generated, throughout all stages of work, and during all phases of the investigation. The office fax number to be used for your data transmittals is (909) 781-6288.
4. The final report for the soil and groundwater investigation, including (at a minimum) the borehole logs, well construction details, groundwater elevation data, and soil and groundwater analytical results, must be submitted to Board staff within 30 days of completing the field work.

Failure to submit the required information by the specified deadline may subject you to administrative civil liability in the amount of up to \$1,000 per day, pursuant to Section 13268(a) and (b) of the California Water Code.

Finally, please be aware that the Board has directed staff to explore alternative ways of solving the water supply problem in the Rialto, Colton and Chino Groundwater Subbasins. In addition, consistent with the Board's direction, we have issued and will continue to issue similar directives to a number of other suspected dischargers who have operated in the North Rialto area. Thus, there may be opportunities to cooperate with other entities to implement joint investigations or to propose solutions that would address the water supply problem. In fact, we believe it would be both scientifically effective and economically efficient for the suspected dischargers subject to these directives to jointly pursue the investigation and to explore water supply replacement options. Further, consistent with the Board's direction, we recommend that the joint efforts of the suspected dischargers consider both the characterization of the plume and



Mr. Eric G. Lardiere

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initiation of water supply replacement or treatment strategies. Board staff has experience managing similar joint investigations and cooperative solutions and we are available to discuss these further with you. If you are interested in discussing alternative options for complying with this directive, please contact us to arrange a meeting or teleconference.

Recovery of Regional Board Expenses

California Water Code Section 13365 addresses the billing process for the Regional Board to recover reasonable expenses for overseeing investigation of illegal discharges, contaminated properties, and other unregulated releases that may adversely affect the State's waters. It is the Regional Board's intent to recover such costs for regulatory oversight work conducted in accordance with this order. A description of the Board's procedure for cost recovery for regulatory oversight of investigations and cleanups will be sent to you under separate cover.

If you have any questions about this letter, or if you would like to arrange a meeting or teleconference, please contact Kamron Saremi, Project Engineer, at (909) 782-4303, or you may call Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,



Gerard J. Thibeault
Executive Officer

cc w/out enclosures:

Regional Board members
Jorge Leon, Office of Chief Counsel, SWRCB
Inland Empire Perchlorate Regulatory Task Force (see mailing list)

California Environmental Protection Agency



Recycled Paper

October 21, 2003

Enclosures:

1. Well Location Map, showing perchlorate contamination in municipal water supply wells in the vicinity of Rialto, Colton and Fontana, California.
2. Amex Products List including emergency signal flare kits, underwater illumination flares, mortar system, and chaff dispersing rocket heads.
3. Amex Facilities – Description of Buildings, machinery, and equipment.
4. Union Bank Escrow Instructions and Assessor's Map for the sale of Parcel NW 1/3 Section 28, Township 1 North, Range 5 West, located adjacent to West Stonehurst Drive, Rialto to Robert Kennard from Whittaker Corporation, dated April 24, 1974.
5. Contemporary Trade Formula Chart identifying certain Amex products and their likely percentage of perchlorate.
6. City of Santa Clarita - Whittaker-Bermite Property Clean-Up Information Sheet and article from Todd Engineers: Whittaker Perchlorate Contamination in Santa Clarita Valley.
7. California Department of Toxic Substances Control-Profile Report of Whittaker-Bermite Facility in Saugus, CA.
8. U.S. EPA Federal Register Notice of Deletion of Whittaker Corporation Superfund Site in Minnesota from Federal Registry.
9. Mailing List.

DON/Data/SLIC/Rialto perchlorate/13267/Whittaker2

